108TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
108–401

MAKING APPROPRIATIONS FOR AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2004, AND FOR OTHER PURPOSES

CONFERENCE REPORT

TO ACCOMPANY

H.R. 2673

NOVEMBER 25, 2003.—Ordered to be printed

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CONFERENCE REPORT

TO ACCOMPANY

H.R. 2673

NOVEMBER 25, 2003.—Ordered to be printed

MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR ENDING 2004, AND FOR OTHER PURPOSES

108TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 108–401

MAKING APPROPRIATIONS FOR AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2004, AND FOR OTHER PURPOSES

NOVEMBER 25, 2003.—Ordered to be printed

Mr. YOUNG of Florida, from the Committee on conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 2673]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2673) "making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter stricken and inserted by said amendment, insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consolidated Appropriations Act, 2004".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
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DIVISION C—DISTRICT OF COLUMBIA APPROPRIATIONS, 2004

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DIVISION D—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS, 2004

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DIVISION E—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS, 2004

Title I—Department of Labor
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DIVISION F—TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS, 2004

Title I—Department of Transportation
Title II—Department of the Treasury
Title III—Executive Office of the President and Funds Appropriated to the President
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DIVISION G—VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS, 2004

Title I—Department of Veterans Affairs
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Title V—Pesticide Products and Fees

DIVISION H—MISCELLANEOUS APPROPRIATIONS AND OFFSETS

SEC. 3. REFERENCES.

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

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, $5,092,000: Provided, That not to exceed $11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), $8,707,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $13,670,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $7,740,000.

HOMELAND SECURITY STAFF

For necessary expenses of the Homeland Security Staff, $499,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $15,493,000.

COMMON COMPUTING ENVIRONMENT

For necessary expenses to acquire a Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service and Rural Development mission areas for information technology, systems, and services, $119,289,000, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28: Provided, That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $5,684,000: Provided, That the Chief Financial Officer shall actively market and expand cross-servicing activities of the National Finance Center: Provided further, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress a report on the Department's contracting out policies, including agency budgets for contracting out.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary salaries and expenses of the Office of the Assistant Secretary for Civil Rights, $808,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $17,450,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration, $673,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, as follows: for payments to the General Services Administration, $123,910,000, and for buildings operations and maintenance, $32,559,000, to remain available until expended: Provided, That not to exceed 5 percent of amounts which are made available for space rental and related costs for the

Department of Agriculture in this Act may be transferred between such appropriations to cover the costs of new or replacement space 15 days after notice thereof is transmitted to the Appropriations Committees of both Houses of Congress.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $15,611,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $23,031,000, to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,796,000: Provided, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no funds made available by this appropriation may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: Provided further, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Depart-

ment, $9,228,000: Provided, That not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the Inspector General Act of 1978, $77,281,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $34,700,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $596,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $71,402,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621–1627 and 2204g, and other laws, $128,922,000, of which up to $25,279,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value

or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,088,892,000: Provided, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law: Provided further, That all rights and title of the United States in the 1.0664-acre parcel of land including improvements, as recorded at Book 1320, Page 253, records of Larimer County, State of Colorado, shall be conveyed to the Board of Governors of the Colorado State University for the benefit of Colorado State University.

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

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $63,810,000, to remain available until expended.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $621,447,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $180,148,000; for grants for cooperative forestry research (16 U.S.C. 582a through a–7), $21,884,000; for payments to the 1890 land-grant colleges, including Tuskegee University and West Virginia State College (7 U.S.C. 3222), $36,000,000, of which $1,507,496 shall be made available only for the purpose of ensuring that each institution shall receive no less

than $1,000,000; for special grants for agricultural research (7 U.S.C. 450i(c)), $111,312,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), $13,675,000; for competitive research grants (7 U.S.C. 450i(b)), $165,000,000; for the support of animal health and disease programs (7 U.S.C. 3195), $4,559,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), $1,069,000; for grants for research pursuant to the Critical Agricultural Materials Act (7 U.S.C. 178 et seq.), $1,118,000, to remain available until expended; for the 1994 research grants program for 1994 institutions pursuant to section 536 of Public Law 103–382 (7 U.S.C. 301 note), $1,093,000, to remain available until expended; for rangeland research grants (7 U.S.C. 3333), $900,000; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $2,900,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), $4,888,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $992,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $4,673,000; for noncompetitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3242 (section 759 of Public Law 106–78) to individual eligible institutions or consortia of eligible institutions in Alaska and in Hawaii, with funds awarded equally to each of the States of Alaska and Hawaii, $3,150,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(j)), $895,000; for aquaculture grants (7 U.S.C. 3322), $4,024,000; for sustainable agriculture research and education (7 U.S.C. 5811), $12,295,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University and West Virginia State College, $11,479,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382, $1,689,000; and for necessary expenses of Research and Education Activities, $37,704,000.

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

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $9,000,000.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $441,731,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents, $279,390,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $2,946,000; payments for the nutrition and family edu-

cation program for low-income areas under section 3(d) of the Act, $52,366,000; payments for the pest management program under section 3(d) of the Act, $9,620,000; payments for the farm safety program under section 3(d) of the Act, $4,940,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University and West Virginia State College, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $15,000,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, $7,583,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, $446,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), $4,064,000; payments for Indian reservation agents under section 3(d) of the Smith-Lever Act, $1,785,000; payments for sustainable agriculture programs under section 3(d) of the Act, $4,359,000; payments for rural health and safety education as authorized by section 502(i) of Public Law 92–419 (7 U.S.C. 2662(i)), $2,345,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University and West Virginia State College, $31,908,000, of which $1,724,884 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for grants to youth organizations pursuant to section 7630 of title 7, United States Code, $2,683,000; and for necessary expenses of Extension Activities, $22,296,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $50,493,000, as follows: for competitive grants programs authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), $39,793,000, including $11,598,000 for the water quality program, $13,384,000 for the food safety program, $4,052,000 for the regional pest management centers program, $4,371,000 for the Food Quality Protection Act risk mitigation program for major food crop systems, $1,338,000 for the crops affected by Food Quality Protection Act implementation, $3,150,000 for the methyl bromide transition program, and $1,900,000 for the organic transition program; for a competitive international science and education grants program authorized under section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain available until expended, $900,000; for grants programs authorized under section 2(c)(1)(B) of Public Law 89–106, as amended, $1,800,000, including $447,000, to remain available until September 30, 2005 for the critical issues program, and $1,353,000 for the regional rural development centers program; and $8,000,000 for the homeland security program authorized under section 1484 of the National Agricultural Research, Extension, and Teaching Act of 1977, to remain available until September 30, 2005.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $5,970,000, to remain available until expended.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; $725,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; and to protect the environment, as authorized by law, $720,580,000, of which $4,112,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions; of which $51,000,000 shall be used for the boll weevil eradication program for cost share purposes or for debt retirement for active eradication zones: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2004, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or serv-

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

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $4,996,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, $75,430,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: Provided further, That, in the case of the term of protection for the variety for which certificate number 8200179 was issued, on the date of enactment of this Act, the Secretary of Agriculture shall issue a new certificate for a term of protection of 10 years for the variety, except that the Secretary may terminate the certificate (at the end of any calendar year that is more than 5 years after the date of issuance of the certificate) if the Secretary determines that a new variety of seed (that is substantially based on the genetics of the variety for which the certificate was issued) is commercially viable and available in sufficient quantities to meet market demands.

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

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $62,577,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $15,392,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $3,338,000, of which not less than $2,000,000 shall be used to make noncompetitive grants under this heading.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, $35,890,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

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

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $599,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766),

$784,511,000, of which no less than $701,823,000 shall be available for Federal food safety inspection; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): Provided, That no fewer than 50 full time equivalent positions above the fiscal year 2002 level shall be employed during fiscal year 2004 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $635,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $988,768,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,974,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, $100,000, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe land acquisition loans (25 U.S.C. 488), and boll weevil loans (7 U.S.C. 1989), to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $1,079,158,000, of which $950,000,000 shall be for guaranteed loans and $129,158,000 shall be for direct loans; operating loans, $2,083,752,000, of which $1,200,000,000 shall be for unsubsidized guaranteed loans, $266,249,000 shall be for subsidized guaranteed loans and $617,503,000 shall be for direct loans; Indian tribe land acquisition loans, $2,000,000; and for boll weevil eradication program loans, $100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $33,648,000, of which $5,130,000 shall be for guaranteed loans, and $28,518,000 shall be for direct loans; operating loans, $163,004,000, of which $39,960,000 shall be for unsubsidized guaranteed loans, $34,000,000 shall be for subsidized guaranteed loans, and $89,044,000 shall be for direct loans.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $290,968,000, of which $283,020,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

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

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by section 226A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6933), $71,422,000: Provided, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

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

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11).

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $745,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $853,004,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $9,250,000 is for snow survey and water forecasting, and not less than $11,500,000 is for operation and establishment of the plant

materials centers, and of which not less than $23,500,000 shall be for the grazing lands conservation initiative: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service: Provided further, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1009), $10,562,000: Provided, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $87,000,000, to remain available until expended; of which up to $10,000,000 may be available for the watersheds authorized under the Flood Control Act (33 U.S.C. 701 and 16 U.S.C. 1006a): Provided, That not to exceed $40,000,000 of this appropriation shall be available for technical assistance: Provided further, That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction: Provided further, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

WATERSHED REHABILITATION PROGRAM

For necessary expenses to carry out rehabilitation of structural measures, in accordance with section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012), and in accordance with the provisions of laws relating to the activities of the Department, $29,805,000, to remain available until expended: Provided, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of sections 31 and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $51,947,000, to remain available until expended: Provided, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)): Provided further, That the Secretary shall enter into a cooperative or contribution agreement with a national association regarding a Resource Conservation and Development program and such agreement shall contain the same matching, contribution requirements, and funding level, set forth in a similar cooperative or contribution agreement with a national association in fiscal year 2002: Provided further, That not to exceed $3,504,300, the same amount as in the budget, shall be available for national headquarters activities.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, $636,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E–H and 381N of the Consolidated Farm and Rural Development Act, $757,425,000, to remain available until expended, of which $75,919,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $605,006,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act, of which not to exceed

$500,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306E of such Act; and of which $76,500,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: Provided, That of the amount appropriated for rural business and cooperative development programs, $100,000 shall be for a pilot program in the State of Alaska to assist communities with community planning: Provided further, That of the total amount appropriated in this account, $24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking water and waste disposal systems pursuant to section 306C of such Act, of which $4,000,000 shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of the Consolidated Farm and Rural Development Act, and of which $250,000 shall be available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That of the amount appropriated for rural community programs, $6,000,000 shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: Provided further, That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; $1,750,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 1921 et seq.); and not less than $2,000,000 shall be available for grants in accordance with section 310B(f) of the Consolidated Farm and Rural Development Act: Provided further, That of the amount appropriated for rural utilities programs, not to exceed $25,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; not to exceed $28,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act, with up to 1 percent available to administer the program and up to 1 percent available to improve interagency coordination may be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses", of which $100,000 shall be provided to develop a regional system for centralized billing, operation, and management of rural water and sewer utilities through regional cooperatives, of which 25 percent shall be provided for water and sewer projects in regional hubs, and

the State of Alaska shall provide a 25 percent cost share; not to exceed $17,733,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, of which $5,513,000 shall be for Rural Community Assistance Programs; and not to exceed $13,000,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the amount appropriated for the circuit rider program, Alaska shall receive two additional full circuit rider contracts and not less than $750,000 shall be for contracting with qualified national organizations to establish a Native American circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed $22,132,000 shall be available through June 30, 2004, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which $1,000,000 shall be for the rural community programs described in section 381E(d)(1) of such Act, of which $12,582,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act, and of which $8,550,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided further, That of the amount appropriated for rural community programs, not to exceed $22,000,000 shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with 5 percent for administration and capacity building in the State rural development offices: Provided further, That of the amount appropriated, $28,000,000 shall be transferred to and merged with the "Rural Utilities Service, High Energy Cost Grants Account" to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided further, That any prior year balances for high cost energy grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 901(19)) shall be transferred to and merged with the "Rural Utilities Service, High Energy Costs Grants Account".

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements;$141,869,000: Provided, That notwithstanding any other provision of law, funds appropriated under this section may be used for advertising and promotional activities that support the Rural Development mission area: Provided further, That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: Provided further, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,091,634,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,366,462,000 shall be for direct loans, and of which $2,725,172,000 shall be for unsubsidized guaranteed loans; $35,004,000 for section 504 housing repair loans; $116,545,000 for section 515 rental housing; $100,000,000 for section 538 guaranteed multi-family housing loans; $5,045,000 for section 524 site loans; $11,500,000 for credit sales of acquired property, of which up to $1,500,000 may be for multi-family credit sales; and $2,400,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $165,921,000, of which $126,018,000 shall be for direct loans, and of which $39,903,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $9,612,000; section 515 rental housing, $50,126,000; section 538 multi-family housing guaranteed loans, $5,950,000; multi-family credit sales of acquired property, $663,000; and section 523 self-help housing land development loans, $75,000: Provided, That of the total amount appropriated in this paragraph, $7,100,000 shall be available through June 30, 2004, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $443,302,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $584,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount, not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $20,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: Provided further, That agreements entered into or renewed during the current fiscal year shall be funded for a four-year period: Provided further, That any unexpended balances remaining at the end of such four-year agreements may be transferred and used for the purposes of any debt re-

duction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $34,000,000, to remain available until expended: Provided, That of the total amount appropriated, $1,000,000 shall be available through June 30, 2004, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, $46,222,000, to remain available until expended, of which $5,000,000 shall be available for a processing and/or fishery workers housing demonstration project in Alaska, Mississippi, Utah, and Wisconsin: Provided, That of the total amount appropriated, $1,800,000 shall be available through June 30, 2004, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

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

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

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

For the cost of direct loans, $17,308,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $1,724,000 shall be available through June 30, 2004, for Federally Recognized Native American Tribes and of which $3,449,000 shall be available through June 30, 2004, for the Delta Regional Authority (7 U.S.C. 1921 et seq.): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That of the total amount appropriated, $2,447,000 shall be available through June 30, 2004, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $4,272,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $15,002,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $2,792,000.

Of the funds derived from interest on the cushion of credit payments in the current fiscal year, as authorized by section 313 of the Rural Electrification Act of 1936, $2,792,000 shall not be obligated and $2,792,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $24,000,000, of which $2,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed $1,500,000 shall be for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers and whose governing board and/or membership is comprised of at least 75 percent minority; and of which not to exceed $15,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 6401 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1621 note).

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES GRANTS

For grants in connection with second and third rounds of empowerment zones and enterprise communities, $12,667,000, to remain available until expended, for designated rural empowerment zones and rural enterprise communities, as authorized by the Taxpayer Relief Act of 1997 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277): Provided, That of the funds appropriated, $1,000,000 shall be made available to third round empowerment zones, as authorized by the Community Renewal Tax Relief Act (Public Law 106–554).

RENEWABLE ENERGY PROGRAM

For the cost of a program of direct loans, loan guarantees, and grants, under the same terms and conditions as authorized by section 9006 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106), $23,000,000 for direct and guaranteed renewable energy loans and grants: Provided, That the cost of direct loans and loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $240,000,000; municipal rate rural electric loans, $1,000,000,000; loans made pursuant to section 306 of that Act, rural electric, $2,000,000,000; Treasury rate direct electric loans, $750,000,000; 5 percent rural telecommunications loans, $145,000,000; cost of money rural telecommunications loans, $250,000,000; loans made pursuant to section 306 of that Act, rural telecommunications loans, $120,000,000; and for guaranteed underwriting loans pursuant to section 313A, $1,000,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, $60,000, and the cost of telecommunication loans, $125,000: Provided, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $37,853,000 which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 2004 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $173,503,000.

In addition, for administrative expenses, including audits, necessary to carry out the loan programs, $3,171,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of direct distance learning and telemedicine loans, $300,000,000; and for the principal amount of direct broadband telecommunication loans, $602,000,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $39,000,000, to remain available until expended: Provided, That $14,000,000 shall be made available to convert analog to digital operation those noncommercial educational television broadcast stations that serve

rural areas and are qualified for Community Service Grants by the Corporation for Public Broadcasting under section 396(k) of the Communications Act of 1934, including associated translators, repeaters, and studio-to-transmitter links.

For the cost of broadband loans, as authorized by 7 U.S.C. 901 et seq., $13,116,000: Provided, That the interest rate for such loans shall be the cost of borrowing to the Department of the Treasury for obligations of comparable maturity: Provided further, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $9,000,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, $599,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $11,417,441,000, to remain available through September 30, 2005, of which $6,717,780,000 is hereby appropriated and $4,699,661,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That $5,000,000 shall be available for the Food and Nutrition Service to conduct a study of over and under certification errors and the effect on expenditures in the National School Lunch and School Breakfast Programs and an assessment of the feasibility of using income data matching in those programs: Provided further, That except as specifically provided under this heading, none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That up to $5,235,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $4,639,232,000, to remain available through September 30, 2005: Provided, That of the total amount available, the Secretary shall obligate not less than

$15,000,000 for a breastfeeding support initiative in addition to the activities specified in section 17(h)(3)(A) and up to $25,000,000 for a management information system initiative upon a determination by the Secretary that funds are available to meet caseload requirements: Provided further, That up to $4,000,000 shall be available for pilot projects to prevent childhood obesity upon a determination by the Secretary that funds are available to meet caseload requirements: Provided further, That of the total amount available, the Secretary shall obligate $23,000,000 for the farmers' market nutrition program: Provided further, That notwithstanding section 17(h)(10)(A) of such Act, $14,000,000 shall be available for the purposes specified in section 17(h)(10)(B): Provided further, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $30,945,981,000, of which $3,000,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the funds made available under this heading and not already appropriated to the Food Distribution Program on Indian Reservations (FDPIR) established under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed $4,000,000 shall be used to purchase bison meat for the FDPIR from Native American bison producers as well as from producer-owned cooperatives of bison ranchers: Provided further, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; and special assistance (in a form determined by the Secretary of Agriculture) for the nuclear affected islands, as authorized by section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(h)(2)) (or a successor law), $150,000,000, to remain available through Sep-

tember 30, 2005: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the domestic nutrition assistance programs funded under this Act, $138,304,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp benefit delivery, and assisting in the prevention, identification, and prosecution of fraud and other violations of law; and of which not less than $4,000,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1769), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $132,148,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.

PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit arrangements under said Acts, $103,887,000, to remain available until expended.

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83–480, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 83–480 are utilized, $2,134,000, of which $1,075,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which $1,059,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

(INCLUDING TRANSFER OF FUNDS)

For ocean freight differential costs for the shipment of agricultural commodities under title I of the Agricultural Trade Development and Assistance Act of 1954 and under the Food for Progress Act of 1985, $28,000,000, to remain available until expended: Provided, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

PUBLIC LAW 480 TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $1,192,000,000, to remain available until expended.

MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $50,000,000, to remain available until expended: Provided, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $4,152,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $3,306,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which $846,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $1,673,441,000: Provided, That of the amount provided under this heading, $249,825,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $31,654,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; and $5,000,000 shall be derived from animal drug user fees (subject to enactment of legislation authorizing such fees), and shall be credited to this account and remain available until expended: Provided further, That fees derived from prescription drug, medical device, and animal drug assessments received during fiscal year 2004, including any such fees assessed prior to the current fiscal year but credited during the current year, shall be subject to the fiscal year 2004 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) $413,112,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $477,966,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $169,429,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $89,396,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $209,420,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $39,887,000 shall be for the National Center for Toxicological Research; (7) $39,276,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration for rent; (8) $119,594,000 shall be for payments to the General Services Administration for rent; and (9) $115,361,000 shall be for other activities, including the Office of the Commissioner; the Office of Management and Systems; the Office of External Relations; the Office of Policy and Planning; and central services for these offices: Provided further, That funds may be trans-

ferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $7,000,000 to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $90,435,000, including not to exceed $3,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $40,900,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 398 passenger motor vehicles, of which 396 shall be for replacement only, and for the hire of such vehicles.

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

SEC. 703. Funds appropriated by this Act shall be available for employment pursuant to the second sentence of section 706(a) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.

SEC. 704. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of finan-

cial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

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

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

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

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

SEC. 709. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 20 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricul-

tural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 711. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 712. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to cover obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Telephone Bank program account, the Rural Electrification and Telecommunication Loans program account, the Rural Housing Insurance Fund program account, and the Rural Economic Development Loans program account.

SEC. 713. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 714. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 715. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 716. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 717. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 718. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the

Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 719. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

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

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

SEC. 720. With the exception of funds needed to administer and conduct oversight of grants awarded and obligations incurred in prior fiscal years, none of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105–185, the Initiative for Future Agriculture and Food Systems (7 U.S.C. 7621).

SEC. 721. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the Presi-

dent's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2005 appropriations Act.

SEC. 722. None of the funds made available by this or any other Act may be used to close or relocate a state Rural Development office unless or until cost effectiveness and enhancement of program delivery have been determined.

SEC. 723. In addition to amounts otherwise appropriated or made available by this Act, $3,000,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships, as authorized by Public Law 108–58.

SEC. 724. Notwithstanding section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f), any balances available to carry out title III of such Act as of the date of enactment of this Act, and any recoveries and reimbursements that become available to carry out title III of such Act, may be used to carry out title II of such Act.

SEC. 725. Of any shipments of commodities made pursuant to section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not more than $25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of—

(1) agricultural commodities to—

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

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

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

SEC. 726. Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(B)) is amended by striking "$26,499,000" and inserting "$26,998,000".

SEC. 727. Notwithstanding any other provision of law, the Natural Resources Conservation Service may provide financial and technical assistance through the Watershed and Flood Prevention Operations program for the Kuhn Bayou and Ditch 26 Improvement projects in Arkansas, the Matanuska River erosion control project in Alaska, the DuPage County Sawmill Creek Watershed project in Illinois, and the Coal Creek project in Utah, and four flood control structures in Marmaton, Kansas.

SEC. 728. Notwithstanding any other provision of law, the Secretary shall consider the County of Lawrence, Ohio; the City of

Havelock, North Carolina; the City of Portsmouth, Ohio; the City of Binghamton, New York; the Town of Vestal, New York; the City of Ithaca, New York; the City of Casa Grande, Arizona; the City of Clarksdale, Mississippi; the City of Coachella, California; the City of Salinas, California; the City of Watsonville, California; the City of Hollister, California; the Municipality of Carolina, Puerto Rico; and the City of Kinston, North Carolina, as meeting the eligibility requirements for loans and grants programs in the Rural Development mission area.

SEC. 729. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the DuPage County, Illinois, Kress Creek Watershed Plan, from funds available for the Watershed and Flood Prevention Operations program, not to exceed $1,600,000 and Rockhouse Creek Watershed, Leslie County, Kentucky, not to exceed $1,000,000.

SEC. 730. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriation Act.

SEC. 731. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Pharmaceutical Analysis in St. Louis, Missouri, outside the city or county limits of St. Louis, Missouri.

SEC. 732. Agencies and offices of the Department of Agriculture may utilize any unobligated salaries and expenses funds to reimburse the Office of the General Counsel for salaries and expenses of personnel, and for other related expenses, incurred in representing such agencies and offices in the resolution of complaints by employees or applicants for employment, and in cases and other matters pending before the Equal Employment Opportunity Commission, the Federal Labor Relations Authority, or the Merit Systems Protection Board with the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 733. Notwithstanding any other provision of law, of the funds made available in this Act for competitive research grants (7 U.S.C. 450i(b)), the Secretary may use up to 20 percent of the amount provided to carry out a competitive grants program under the same terms and conditions as those provided in section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621), including requests for proposals for grants for critical emerging issues described in section 401(c)(1) of that Act for which the Secretary has not issued requests for proposals for grants in fiscal year 2002 or 2003.

SEC. 734. None of the funds appropriated or made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)).

SEC. 735. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance through the Watershed and Flood Prevention Operations program to carry out the Upper Tygart Valley Watershed project, West Virginia: Provided, That the Natural Resources Con-

servation Service is authorized to provide 100 percent of the engineering assistance and 75 percent cost share for installation of the water supply component of this project.

SEC. 736. None of the funds appropriated or made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out subtitle I of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009dd through dd–7).

SEC. 737. None of the funds appropriated or made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out section 6405 of Public Law 107–171 (7 U.S.C. 2655).

SEC. 738. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the provisions of sections 7404(a)(1) and 7404(c)(1) of Public Law 107–171.

SEC. 739. The Agricultural Marketing Service and the Grain Inspection, Packers and Stockyards Administration, that have statutory authority to purchase interest bearing investments outside of the Treasury, are not required to establish obligations and outlays for those investments, provided those investments are insured by the Federal Deposit Insurance Corporation or are collateralized at the Federal Reserve with securities approved by the Federal Reserve, operating under the guidelines of the United States Department of the Treasury.

SEC. 740. Of the funds made available under section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use up to $10,000,000 for costs associated with the distribution of commodities.

SEC. 741. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to enroll in excess of 189,144 acres in the calendar year 2004 wetlands reserve program as authorized by 16 U.S.C. 3837.

SEC. 742. None of the funds made available in fiscal year 2004 or preceding fiscal years for programs authorized under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess of $20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): Provided, That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 743. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of $975,000,000.

SEC. 744. Notwithstanding any other provision of law, the Natural Resources Conservation Service may provide from appropriated funds financial and technical assistance to the Dry Creek project, Utah.

SEC. 745. The Secretary of Agriculture is authorized to permit employees of the United States Department of Agriculture to carry

and use firearms for personal protection while conducting field work in remote locations in the performance of their official duties.

SEC. 746. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to expend the $23,000,000 made available by section 9006(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(f)).

SEC. 747. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to expend the $20,000,000 made available by section 601(j)(1)(A) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(j)(1)(A)) for fiscal year 2004.

SEC. 748. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to expend the $40,000,000 made available by section 231(b)(4) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note) for fiscal year 2004.

SEC. 749. Section 285 of the Agricultural Marketing Act of 1946 (16 U.S.C. 1638d et seq.) is amended by striking "2004" and inserting in lieu thereof "2006, except for 'farm-raised fish' and 'wild fish' which shall be September 30, 2004".

SEC. 750. (a) Notwithstanding subsections (c) and (e)(2) of section 313A of the Rural Electrification Act (7 U.S.C. 940c(c) and (e)(2)) in implementing section 313A of that Act, the Secretary shall, with the consent of the lender, structure the schedule for payment of the annual fee, not to exceed an average of 30 basis points per year for the term of the loan, to ensure that sufficient funds are available to pay the subsidy costs for note guarantees under that section; and

(b) The Secretary shall publish a proposed rule to carry out section 313A of the Rural Electrification Act of 1936 within 60 days of enactment of this Act.

SEC. 751. Any unobligated balances in the Alternative Agricultural Research and Commercialization Revolving Fund are hereby rescinded.

SEC. 752. Not more than $41,443,000 for fiscal year 2004 of the funds appropriated or otherwise made available by this or any other Act shall be used to carry out the conservation security program established under subchapter A of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.).

SEC. 753. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a ground and surface water conservation program authorized by section 2301 of Public Law 107–171, the Farm Security and Rural Investment Act of 2002, in excess of $51,000,000.

SEC. 754. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 2502 of Public Law 107–171, the Farm Security and Rural Investment Act of 2002, in excess of $42,000,000.

SEC. 755. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 2503 of Public Law

107–171, the Farm Security and Rural Investment Act of 2002, in excess of $112,044,000.

SEC. 756. (a) ASSISTANCE FOR COMMERCIAL TREE LOSSES.—The Secretary of Agriculture shall use $5,000,000 of the funds of the Commodity Credit Corporation to provide assistance under the Tree Assistance Program, subtitle C of title X of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.), to tree-fruit growers located in a federally declared disaster area in the State of New York who suffered tree losses in 2003 as a result of an April 4–6, 2003, icestorm.

(b) The Secretary of Agriculture shall use $10,000,000 of the funds of the Commodity Credit Corporation, to remain available until expended, to compensate commercial citrus and lime growers in the State of Florida for tree replacement and for lost production with respect to trees removed to control citrus canker, and with respect to certified citrus nursery stocks within the citrus canker quarantine areas, as determined by the Secretary. For a grower to receive assistance for a tree under this section, the tree must have been removed after September 30, 2001.

SEC. 757. There is hereby appropriated $1,500,000 to carry out section 6028 of Public Law 107–171, the Farm Security and Rural Investment Act of 2002: Provided, That notwithstanding section 383B(g)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–1(g)(1)), the Federal share of the administrative expenses of the Northern Great Plains Regional Authority for fiscal year 2004 shall be 100 percent.

SEC. 758. Section 204(a)(3) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)(3)) is amended by striking everything from "the Committee on Foreign Affairs" through "the Committee on" and inserting in lieu thereof "the Committees on International Relations, Agriculture and Appropriations of the House of Representatives, and the Committees on Appropriations and".

SEC. 759. None of the funds appropriated or made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out section 6029 of Public Law 107–171, the Farm Security and Rural Investment Act of 2002: Provided, That this section shall not apply to activities related to the promulgation of regulations or the receipt and review of applications for the Rural Business Investment Program.

SEC. 760. None of the funds appropriated or otherwise made available in this Act shall be expended to violate Public Law 105–264.

SEC. 761. COST-SHARING FOR ANIMAL AND PLANT HEALTH EMERGENCY PROGRAMS. None of the funds made available by this Act may be used to issue a final rule in furtherance of, or otherwise implement, the proposed rule on cost-sharing for animal and plant health emergency programs of the Animal and Plant Health Inspection Service published on July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg. 40541).

SEC. 762. Agencies and offices of the Department of Agriculture may utilize any available discretionary funds to cover the costs of preparing, or contracting for the preparation of, final agency decisions regarding complaints of discrimination in employment or program activities arising within such agencies and offices.

SEC. 763. Notwithstanding any other provision of law, for any fiscal year, in the case of a high cost isolated rural area in Alaska that is not connected to a road system, the maximum level for the single family housing assistance shall be 150 percent of the average income level in the metropolitan areas of the State and 115 percent of all other eligible areas of the State.

SEC. 764. There is hereby appropriated $1,000,000, to remain available until expended, for the Denali Commission to address deficiencies in solid waste disposal sites which threaten to contaminate rural drinking water supplies.

SEC. 765. Notwithstanding any other provision of law, the Secretary shall consider the City of Vicksburg, Mississippi; the City of Aberdeen, South Dakota; and the City of Starkville, Mississippi as meeting the requirements of a rural area contained in section 520 of the Housing Act of 1949 (42 U.S.C. 1490) until receipt of the decennial Census for the year 2010.

SEC. 766. Notwithstanding any other provision of law, the Secretary shall consider the City of Berlin, New Hampshire; the City of Guymon, Oklahoma; the City of Shawnee, Oklahoma; and the City of Altus, Oklahoma, to be eligible for loans and grants provided through the Rural Community Advancement Program until receipt of the decennial Census in the year 2010.

SEC. 767. None of the funds made available in this Act may be used to study, complete a study of, or enter into a contract with a private party to carry out, without specific authorization in a subsequent Act of Congress, a competitive sourcing activity of the Secretary of Agriculture, including support personnel of the Department of Agriculture, relating to rural development or farm loan programs.

SEC. 768. Section 501(b)(5)(B) of the Housing Act of 1949 (42 U.S.C. 1471(b)(5)(B)) is amended by striking "for fiscal years 2002 and 2003,".

SEC. 769. AGRICULTURAL MANAGEMENT ASSISTANCE. Section 524(b)(4)(B) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(4)(B)) is amended—

(1) in clause (i), by striking "clause (ii)" and inserting "clauses (ii) and (iii)"; and

(2) by adding at the end the following:

"(iii) CERTAIN USES.—Of the amounts made available to carry out this subsection for each fiscal years 2004 through 2007 the Commodity Credit Corporation shall use not less than—

"(I) $14,000,000 to carry out subparagraphs (A), (B), and (C) of paragraph (2) through the Natural Resources Conservation Service;

"(II) $1,000,000 to provide organic certification cost share assistance through the Agricultural Marketing Service; and

"(III) $5,000,000 to conduct activities to carry out subparagraph (F) of paragraph (2) through the Risk Management Agency.".

SEC. 770. Hereafter, no funds provided in this or any other Act shall be available to the Secretary of Agriculture acting through the Foreign Agricultural Service to promote the sale or export of tobacco or tobacco products.

SEC. 771. IN GENERAL.—Section 3(o)(4) of the Food Stamp Act of 1977, as amended (7 U.S.C. 2012(o)(4)), is amended by inserting before the period at the end the following: ", and except that on October 1, 2003, in the case of households residing in Alaska and Hawaii the Secretary may not reduce the cost of such diet in effect on September 30, 2002".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective beginning on September 30, 2003.

SEC. 772. Section 601(b)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(b)(2)) is amended to read as follows:

"(2) ELIGIBLE RURAL COMMUNITY.—The term 'eligible rural community' means any area of the United States that is not contained in an incorporated city or town with a population in excess of 20,000 inhabitants.".

SEC. 773. Notwithstanding any other provision of law, for all activities under programs of the Rural Development Mission Area within the County of Honolulu, Hawaii, the Secretary may designate any portion of the county as a rural area or eligible rural community that the Secretary determines is not urban in character: Provided, That the Secretary shall not include in any such rural area or eligible rural community any area included in the Honolulu Census Designated Place as determined by the Secretary of Commerce.

SEC. 774. The first sentence of section 306(g)(1) of the National Housing Act (12 U.S.C. 1721(g)(1)) is amended—

(1) by striking "or title V of the Housing Act of 1949"; and

(2) by inserting after "1944" the following: ", title V of the Housing Act of 1949,".

SEC. 775. Notwithstanding the provisions of the Consolidated Farm and Rural Development Act (including the associated regulations) governing the Community Facilities Program, the Secretary may allow all Community Facility Program facility borrowers and grantees to enter into contracts with not-for-profit third parties for services consistent with the requirements of the Program, grant, and/or loan: Provided, That the contracts protect the interests of the Government regarding cost, liability, maintenance, and administrative fees.

SEC. 776. Notwithstanding any other provision of law, the Secretary of Agriculture may use appropriations available to the Secretary for activities authorized under sections 426–426c of title 7, United States Code, under this or any other Act, to enter into cooperative agreements, with a State, political subdivision, or agency thereof, a public or private agency, organization, or any other person, to lease aircraft if the Secretary determines that the objectives of the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Animal Plant Health Inspection Service, Wildlife Service; and (2) all parties will contribute resources to the accomplishment of these objectives; award of a cooperative agreement authorized by the Secretary may be made for an initial term not to exceed 5 years.

SEC. 777. CITRUS CANKER ASSISTANCE.—Section 211 of the Agricultural Assistance Act of 2003 (117 Stat. 545) is amended—

*(1) in the section heading, by inserting "**TREE REPLACEMENT AND**" after "**FOR**"; and*

(2) in subsection (a), by inserting "tree replacement and" after "Florida for".

SEC. 778. SUN GRANT RESEARCH INITIATIVE. (a) SHORT TITLE.—This section may be cited as the "Sun Grant Research Initiative Act of 2003".

(b) RESEARCH, EXTENSION, AND EDUCATIONAL PROGRAMS ON BIOBASED ENERGY TECHNOLOGIES AND PRODUCTS.—Title IX of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101 et seq.) is amended by adding at the end the following:

"SEC. 9011. RESEARCH, EXTENSION, AND EDUCATIONAL PROGRAMS ON BIOBASED ENERGY TECHNOLOGIES AND PRODUCTS.

"(a) PURPOSES.—The purposes of the programs established under this section are—

"(1) to enhance national energy security through the development, distribution, and implementation of biobased energy technologies;

"(2) to promote diversification in, and the environmental sustainability of, agricultural production in the United States through biobased energy and product technologies;

"(3) to promote economic diversification in rural areas of the United States through biobased energy and product technologies; and

"(4) to enhance the efficiency of bioenergy and biomass research and development programs through improved coordination and collaboration between the Department of Agriculture, the Department of Energy, and the land-grant colleges and universities.

"(b) DEFINITIONS.—In this section:

"(1) LAND-GRANT COLLEGES AND UNIVERSITIES.—The term 'land-grant colleges and universities' means—

"(A) 1862 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601));

"(B) 1890 Institutions (as defined in section 2 of that Act) and West Virginia State College; and

"(C) 1994 Institutions (as defined in section 2 of that Act).

"(2) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

"(c) ESTABLISHMENT.—To carry out the purposes described in subsection (a), the Secretary shall establish programs under which—

"(1) the Secretary shall provide grants to sun grant centers specified in subsection (d); and

"(2) the sun grant centers shall use the grants in accordance with this section.

"(d) GRANTS TO CENTERS.—The Secretary shall use amounts made available for a fiscal year under subsection (j) to provide a grants in equal amounts to each of the following sun grant centers:

"(1) NORTH-CENTRAL CENTER.—A north-central sun grant center at South Dakota State University for the region composed of the States of Illinois, Indiana, Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

"(2) SOUTHEASTERN CENTER.—A southeastern sun grant center at the University of Tennessee at Knoxville for the region composed of—

"(A) the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia;

"(B) the Commonwealth of Puerto Rico; and

"(C) the United States Virgin Islands.

"(3) SOUTH-CENTRAL CENTER.—A south-central sun grant center at Oklahoma State University for the region composed of the States of Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

"(4) WESTERN CENTER.—A western sun grant center at Oregon State University for the region composed of—

"(A) the States of Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington; and

"(B) territories and possessions of the United States (other than the territories referred to in subparagraphs (B) and (C) of paragraph (2)).

"(5) NORTHEASTERN CENTER.—A northeastern sun grant center at Cornell University for the region composed of the States of Connecticut, Delaware, Massachusetts, Maryland, Maine, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and West Virginia.

"(e) USE OF FUNDS.—

"(1) CENTERS OF EXCELLENCE.—Of the amount of funds that are made available for a fiscal year to a sun grant center under subsection (d), the center shall use not more than 25 percent of the amount for administration to support excellence in science, engineering, and economics at the center to promote the purposes described in subsection (a) through the State agricultural experiment station, cooperative extension services, and relevant educational programs of the university.

"(2) GRANTS TO LAND-GRANT COLLEGES AND UNIVERSITIES.—

"(A) IN GENERAL.—The sun grant center established for a region shall use the funds that remain available for a fiscal year after expenditures made under paragraph (1) to provide competitive grants to land-grant colleges and universities in the region of the sun grant center to conduct, consistent with the purposes described in subsection (a), multiinstitutional and multistate—

"(i) research, extension, and educational programs on technology development; and

"(ii) integrated research, extension, and educational programs on technology implementation.

"(B) PROGRAMS.—Of the amount of funds that are used to provide grants for a fiscal year under subparagraph (A), the center shall use—

"(i) not less than 30 percent of the funds to carry out programs described in subparagraph (A)(i); and

"(ii) not less than 30 percent of the funds to carry out programs described in subparagraph (A)(ii).

"(3) INDIRECT COSTS.—A sun grant center may not recover the indirect costs of making grants under paragraph (2) to other land-grant colleges and universities.

"(f) PLAN.—

"(1) IN GENERAL.—Subject to the availability of funds under subsection (j), in cooperation with other land-grant colleges and universities and private industry in accordance with paragraph (2), the sun grant centers shall jointly develop and submit to the Secretary, for approval, a plan for addressing at the State and regional levels the bioenergy, biomass, and gasification research priorities of the Department of Agriculture and the Department of Energy for the making of grants under paragraphs (1) and (2) of subsection (e).

"(2) GASIFICATION COORDINATION.—

"(A) IN GENERAL.—In developing the plan under paragraph (1) with respect to gasification research, the sun grant centers identified in paragraphs (1) and (2) of subsection (d) shall coordinate with land grant colleges and universities in their respective regions that have ongoing research activities with respect to the research.

"(B) FUNDING.—Funds made available under subsection (d) to the sun grant center identified in subsection (e)(2) shall be available to carry out planning coordination under paragraph (1) of this subsection.

"(g) GRANTS TO OTHER LAND-GRANT COLLEGES AND UNIVERSITIES.—

"(1) PRIORITY FOR GRANTS.—In making grants under subsection (e)(2), a sun grant center shall give a higher priority to programs that are consistent with the plan approved by the Secretary under subsection (f).

"(2) TERM OF GRANTS.—The term of a grant provided by a sun grant center under subsection (e)(2) shall not exceed 5 years.

"(h) GRANT INFORMATION ANALYSIS CENTER.—The sun grant centers shall maintain a Sun Grant Information Analysis Center at the sun grant center specified in subsection (d)(1) to provide sun grant centers analysis and data management support.

"(i) ANNUAL REPORTS.—Not later than 90 days after the end of a year for which a sun grant center receives a grant under subsection (d), the sun grant center shall submit to the Secretary a report that describes the policies, priorities, and operations of the program carried out by the center during the year, including a description of progress made in facilitating the priorities described in subsection (f).

"(j) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

"(A) $25,000,000 for fiscal year 2005;

"(B) $50,000,000 for fiscal year 2006; and

"(C) $75,000,000 for each of fiscal years 2007 through 2010.

"(2) GRANT INFORMATION ANALYSIS CENTER.—Of amounts made available under paragraph (1), not more than $4,000,000 for each fiscal year shall be made available to carry out subsection (h).".

SEC. 779. RURAL ELECTRIFICATION. For fiscal year 2004, the Secretary of Agriculture may use any unobligated carryover funds made available for any program administered by the Rural Utilities Service (not including funds made available under the heading "RURAL COMMUNITY ADVANCEMENT PROGRAM" in any Act of appropriation) to carry out section 315 of the Rural Electrification Act of 1936 (7 U.S.C. 940e).

SEC. 780. LIMITATION ON ALLOCATION OF PURCHASE PRICES FOR BUTTER AND NONFAT DRY MILK. None of the funds made available by this Act may be used to pay the salaries or expenses of employees of the Department of Agriculture to allocate the rate of price support between the purchase prices for nonfat dry milk and butter in a manner that does not support the price of milk in accordance with section 1501(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7981(b)).

SEC. 781. EMERGENCY WATERSHED PROTECTION PROGRAM. Notwithstanding any other provision of law, the Secretary of Agriculture is authorized to make funding and other assistance available through the emergency watershed protection program under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to repair and prevent damage to non-Federal land in watersheds that have been impaired by fires initiated by the Federal Government and to waive cost sharing requirements for the funding and assistance.

SEC. 782. The Secretary may waive the requirements regarding small and emerging rural business as authorized under the Rural Business Enterprise Grant program for the purpose of a lease for the Oakridge Oregon Industrial Park.

SEC. 783. WATER AND WASTE DISPOSAL GRANT TO THE ALASKA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT. Notwithstanding any other provision of law—

(1) the Alaska Department of Community and Economic Development shall be eligible to receive a water and waste disposal grant under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) in an amount that is equal to not more than 75 percent of the total cost of providing water and sewer service to the proposed hospital in the Matanuska-Susitna Borough, Alaska; and

(2) the Alaska Department of Community and Economic Development shall be allowed to pass the grant funds through to the local government entity that will provide water and sewer service to the hospital.

SEC. 784. None of the funds provided in this Act may be used for salaries and expenses to carry out any regulation or rule insofar as it would make ineligible for enrollment in the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) land that is planted to hardwood trees as of the date of enactment of this Act and was enrolled in the conservation reserve program under a contract that expired prior to calendar year 2002.

SEC. 785. WATER AND WASTE DISPOSAL GRANT TO THE CITY OF POSTVILLE, IOWA. Notwithstanding any other provision of law, the City of Postville, Iowa, shall be eligible to receive a water and waste disposal grant under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) in an amount that is

equal to not more than 75 percent of the total cost of providing water and sewer service in the city.

SEC. 786. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to implement a reorganization of regional conservationists and/or regional offices of the Natural Resources Conservation Service without the prior approval of the Committees on Appropriations.

SEC. 787. Of the unobligated balance available to the Food Safety and Inspection Service for the field automation and information management project at the beginning of fiscal year 2004, $5,000,000 is hereby rescinded.

SEC. 788. The matter under the heading "Integrated Activities" in Division A—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs Appropriations, 2003, Title I—Agricultural Programs, in Public Law 108–7 is amended by striking "7 U.S.C. 3291" and inserting in its place "7 U.S.C. 3292b".

SEC. 789. Notwithstanding any other provision of law, the City of Great Falls, Montana shall be considered a rural area for purposes of eligibility for business and industry guaranteed loans under section 310B(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(1)).

This division may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2004".

DIVISION B—DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $106,687,000, of which not to exceed $3,317,000 is for the Facilities Program 2000, to remain available until expended: Provided, That not to exceed 43 permanent positions and 44 full-time equivalent workyears and $10,172,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2003: Provided further, That not to exceed 26 permanent positions, 21 full-time equivalent workyears and $3,114,000 shall be expended for the Office of Legislative Affairs: Provided further, That not to exceed 15 permanent positions, 20 full-time equivalent workyears and $1,875,000 shall be

expended for the Office of Public Affairs: Provided further, That the latter two aforementioned offices may utilize non-reimbursable details of career employees within the caps described in the preceding two provisos.

JOINT AUTOMATED BOOKING SYSTEM

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, $19,176,000, to remain available until September 30, 2005.

INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM

For necessary expenses for the planning, development, and deployment of an integrated fingerprint identification system, including automated capability to transmit fingerprint and image data, $5,100,000, to remain available until September 30, 2005.

LEGAL ACTIVITIES OFFICE AUTOMATION

For necessary expenses related to the design, development, engineering, acquisition, and implementation of office automation systems for the organizations funded under the headings "Salaries and Expenses, General Legal Activities", and "General Administration, Salaries and Expenses", and the United States Attorneys, the United States Marshals Service, the Antitrust Division, the United States Trustee Program, the Executive Office for Immigration Review, the Community Relations Service, the Bureau of Prisons, the Office of Justice Programs and the United States Parole Commission, $27,034,000, to remain available until September 30, 2005.

NARROWBAND COMMUNICATIONS

For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems, $103,171,000, to remain available until September 30, 2005: Provided, That the Attorney General shall transfer to the "Narrowband Communications" account all funds made available to the Department of Justice for the purchase of portable and mobile radios: Provided further, That any transfer made under the preceding proviso shall be subject to section 605 of this Act.

COUNTERTERRORISM FUND

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

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

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $193,530,000.

DETENTION TRUSTEE

For necessary expenses of the Federal Detention Trustee who shall exercise all power and functions authorized by law relating to the detention of Federal prisoners in non-Federal institutions or otherwise in the custody of the United States Marshals Service, $814,097,000, to remain available until expended: Provided, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System and for overseeing housing related to such detention; the management of funds appropriated to the Department of Justice for the exercise of any detention functions; and the direction of the United States Marshals Service with respect to the exercise of detention policy setting and operations for the Department: Provided further, That any unobligated balances available in prior years from the funds appropriated under the heading "Federal Prisoner Detention" shall be transferred to and merged with the appropriation under the heading "Detention Trustee" and shall be available until expended: Provided further, That the Trustee, working in consultation with the Bureau of Prisons, shall submit a plan for collecting information related to evaluating the health and safety of Federal prisoners in non-Federal institutions no later than 180 days following the enactment of this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $60,840,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $10,609,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $620,533,000, of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended, and of which not less than $1,996,000 shall be available for necessary administrative expenses in accordance with the Radiation Exposure Compensation Act: Provided, That of the total amount appropriated, not to exceed $1,000 shall be available

to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: Provided further, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

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

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $133,133,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, not to exceed $112,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2004, so as to result in a final fiscal year 2004 appropriation from the general fund estimated at not more than $21,133,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,526,253,000; of which not to exceed $2,500,000 shall be available until September 30, 2005, for: (1) training personnel in debt collection; (2) locating debtors and their property; (3) paying the net costs of selling property; and (4) tracking debts owed to the United States Government: Provided, That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $10,000,000 of those funds available for automated litigation support contracts shall remain available until expended: Provided further, That not to exceed $2,500,000 for the operation of the National Advocacy Center shall remain available until expended: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 10,113 positions and 10,298 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys: Provided further, That of the funds made available under this heading, $1,500,000 shall only be available to continue "Operation Streetsweeper": Provided further,

That of the total amount appropriated, $6,898,000 shall be for Project Seahawk and shall remain available until expended.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $166,157,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $166,157,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2004, so as to result in a final fiscal year 2004 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, $1,206,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service, $719,777,000; of which not less than $11,476,000 shall only be available for fugitive apprehension task forces; of which $17,403,000 shall be available for 106 supervisory deputy marshal positions for courthouse security; of which not to exceed $6,000 shall be available for official reception and representation expenses; of which $4,000,000 shall remain available until expended; of which not less than $13,394,000 shall be available for the costs of courthouse security equipment, including furnishings, relocations, and telephone systems and cabling, and shall remain available until September 30, 2005: Provided, That, in addition to reimbursable full-time equivalent workyears available to the United States Marshals Service, not to exceed 4,400 positions and 4,259 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Marshals Service.

CONSTRUCTION

For planning, constructing, renovating, equipping, and maintaining United States Marshals Service prisoner-holding space in United States courthouses and Federal buildings, including the renovation and expansion of prisoner movement areas, elevators, and sallyports, $14,066,000, to remain available until September 30, 2006.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, $156,145,000, to remain available until expended; of which not to exceed $8,000,000 may be made available for planning, construction, renovations, mainte-

nance, remodeling, and repair of buildings, and the purchase of equipment incident thereto, for protected witness safesites; of which not to exceed $1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed $5,000,000 may be made available for the purchase, installation, and maintenance of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $9,526,000 and, in addition, up to $1,000,000 of funds made available to the Department of Justice in this Act may be transferred by the Attorney General to this account: Provided, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(B), (F), and (G), $21,759,000, to be derived from the Department of Justice Assets Forfeiture Fund.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 2,454 passenger motor vehicles, of which 1,843 will be for replacement only; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C, $4,566,798,000; of which not to exceed $65,000,000 for automated data processing and telecommunications and technical investigative equipment, and not to exceed $1,000,000 for undercover operations, shall remain available until September 30, 2005; of which $490,104,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which not less than $153,812,000 shall only be for Joint Terrorism Task Forces; and of which not to exceed $10,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations: Provided, That not to exceed $200,000 shall be available for official reception and representation expenses: Pro-

vided further, That, in addition to reimbursable full-time equivalent workyears available to the Federal Bureau of Investigation, not to exceed 28,900 positions and 27,096 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Federal Bureau of Investigation.

FOREIGN TERRORIST TRACKING TASK FORCE/TERRORIST THREAT INTEGRATION CENTER

For expenses necessary for the Foreign Terrorist Tracking Task Force, including salaries and expenses, operations, equipment, and facilities, $61,597,000: Provided, That funds appropriated in previous fiscal years under the heading "Federal Bureau of Investigation, Salaries and Expenses" may be available for activities associated with the Terrorist Threat Integration Center.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $11,174,000, to remain available until September 30, 2006.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; and purchase of not to exceed 982 passenger motor vehicles, of which 886 will be for replacement only, for police-type use, $1,601,327,000; of which not to exceed $33,000,000 for permanent change of station shall remain available until September 30, 2005; of which not to exceed $1,800,000 for research shall remain available until expended; of which not to exceed $4,000,000 for purchase of evidence and payments for information, not to exceed $10,000,000 for contracting for automated data processing and telecommunications equipment, and not to exceed $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement retrofit and parts, shall remain available until September 30, 2005; and of which not to exceed $50,000 shall be available for official reception and representation expenses: Provided, That, in addition to reimbursable full-time equivalent workyears available to the Drug Enforcement Administration, not to exceed 8,358 positions and 8,018 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Drug Enforcement Administration.

INTERAGENCY DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not other-

wise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $556,465,000, of which $50,000,000 shall remain available until September 30, 2005: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: Provided further, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Drug Enforcement Administrator for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures set forth in section 605 of this Act.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, including the purchase of not to exceed 822 vehicles for police-type use, of which 650 shall be for replacement only; not to exceed $18,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $836,087,000, of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2): Provided, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of Justice, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of "Curios or relics" in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to other agencies or Departments in fiscal year 2004: Provided further, That no funds appropriated under this or any other Act may be used to disclose to the public the contents or any portion thereof of any information required to be kept by licensees pursuant to section 923(g) of title 18, United States Code, or required to be reported pursuant to paragraphs (3) and (7) of section 923(g) of title 18, United States Code, except that this provision shall apply to any request for information made by any person or entity after January 1, 1998: Provided further, That no funds made

available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code: Provided further, That subparagraphs (A) and (B) of 28 U.S.C. 530C(b)(2), are amended by inserting "for the Bureau of Alcohol, Tobacco, Firearms and Explosives," after "Marshals Service," in each subparagraph.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 838, of which 535 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $4,461,257,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed $6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2005: Provided further, That, of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $397,700,000, to remain available until expended, of which

not to exceed $14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation: Provided further, That not to exceed 10 percent of the funds appropriated to "Buildings and Facilities" in this or any other Act may be transferred to "Salaries and Expenses", Federal Prison System, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,429,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, the Missing Children's Assistance Act, including salaries and expenses in connection therewith, the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21), and the Victims of Crime Act of 1984, $190,125,000, to remain available until expended.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); and other programs; $1,297,684,000 (including

amounts for administrative costs, which shall be transferred to and merged with the "Justice Assistance" account): Provided, That all balances under this heading for programs to address violence against women may be transferred to and merged with the appropriation for "Violence Against Women Prevention and Prosecution Programs": Provided further, That funding provided under this heading shall remain available until expended as follows:

(1) $225,000,000 for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act and retroactive to October 1, 2000, Guam shall be considered as one "State" for all purposes under H.R. 728, notwithstanding any provision of section 108(3) thereof, the Commonwealth of Puerto Rico shall be considered a "unit of local government" as well as a "State", for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728, and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: Provided, That funding shall be available for the purposes authorized by part E of title I of the 1968 Act: Provided further, That no funds provided under this heading may be used as matching funds for any other Federal grant program, of which—

(A) $80,000,000 shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement, as authorized by section 401 of Public Law 104–294 (42 U.S.C. 13751 note);

(B) $10,000,000 shall be available for grants, contracts, and other assistance to carry out section 102(c) of H.R. 728; and

(C) $2,981,000 for USA Freedom Corps activities;

(2) $300,000,000 for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act: Provided, That funds shall be disbursed only as a direct reimbursement for each State's documented cost for incarcerating undocumented criminal aliens;

(3) $2,000,000 for the Cooperative Agreement Program for the improvement of State and local correctional facilities holding prisoners in custody of the United States Marshals Service;

(4) $15,000,000 for assistance to Indian tribes, of which—

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

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

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

(5) $659,117,000 for programs authorized by part E of title I of the 1968 Act, notwithstanding the provisions of section 511 of said Act, of which $159,117,000 shall be for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs;

(6) $10,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386;

(7) $892,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act;

(8) $38,500,000 for Drug Courts, as authorized by Part EE of title I of the 1968 Act;

(9) $2,000,000 for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act;

(10) $7,000,000 for a prescription drug monitoring program;

(11) $37,175,000 for prison rape prevention and prosecution programs as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79), of which $2,175,000 shall be transferred to the National Prison Rape Reduction Commission for authorized activities; and

(12) $1,000,000 for a State and local law enforcement hate crimes training and technical assistance program: Provided, That funds made available in fiscal year 2004 under subpart 1 of part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and for drug testing initiatives: Provided further, That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, $58,542,000, to remain available until September 30, 2005, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds designated by Congress through language for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (including administrative costs), $756,283,000, to remain available until expended: Provided, That funds that become available as a result of

deobligations from prior year balances may not be obligated except in accordance with section 605 of this Act: Provided further, That of the funds under this heading, not to exceed $1,972,000 shall be available for the Office of Justice Programs for reimbursable services associated with programs administered by the Community Oriented Policing Services Office: Provided further, That section 1703(b) and (c) of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act") shall not apply to non-hiring grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.). Of the amounts provided—

(1) $120,000,000 for the hiring of law enforcement officers, including $60,000,000 for school resource officers;

(2) $25,000,000 for the matching grant program for Law Enforcement Armor Vests pursuant to section 2501 of part Y of the 1968 Act;

(3) $25,000,000 to improve tribal law enforcement including equipment and training;

(4) $54,050,000 for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in "drug hot spots";

(5) $15,000,000 for Police Corps education and training: Provided, That the out-year program costs of new recruits shall be fully funded from funds currently available;

(6) $158,407,000 for a law enforcement technology program;

(7) $30,000,000 for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 14601);

(8) $100,000,000 for a DNA analysis and backlog reduction formula program, of which:

(A) $55,000,000 shall be for eliminating casework backlogs;

(B) $5,000,000 shall be for eliminating the offender backlog;

(C) $30,000,000 shall be for strengthening crime lab capacity;

(D) $5,000,000 shall be for training the criminal justice community; and

(E) $5,000,000 shall be for using DNA to identify missing persons;

(9) $10,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act (42 U.S.C. 3797j et seq.);

(10) $30,000,000 for the Southwest Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for costs associated with the prosecution of criminal cases declined by local United States Attorneys offices;

(11) $5,000,000 for an offender re-entry program, as authorized by Public Law 107–273;

(12) $10,000,000 for a police integrity program;

(13) $30,000,000 for Project Safe Neighborhoods to reduce gun violence, and gang and drug-related crime;

(14) $24,226,000 for grants, contracts and other assistance to States under section 102(b) of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601), of which $5,000,000 is for

the National Institute of Justice for grants, contracts, and other agreements to develop school safety technologies and training;

(15) $85,000,000 for the COPS Interoperable Communications Technology Program;

(16) $4,600,000 for the Safe Schools Initiative; and

(17) not to exceed $30,000,000 for program management and administration.

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); $387,629,000 (including amounts for administrative costs, which shall be transferred to and merged with the "Justice Assistance" account), to remain available until expended.

Of the amount provided—

(1) $11,897,000 for the court appointed special advocate program, as authorized by section 217 of the 1990 Act;

(2) $2,281,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act;

(3) $994,000 for grants for televised testimony, as authorized by part N of the 1968 Act;

(4) $168,334,000 for grants to combat violence against women, as authorized by part T of the 1968 Act, of which—

(A) $5,200,000 shall be for the National Institute of Justice for research and evaluation of violence against women; and

(B) $10,000,000 shall be for the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, as authorized by the Juvenile Justice and Delinquency Act of 1974;

(5) $64,503,000 for grants to encourage arrest policies as authorized by part U of the 1968 Act;

(6) $39,685,000 for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(7) $4,957,000 for training programs as authorized by section 40152 of the 1994 Act, and for related local demonstration projects;

(8) $2,981,000 for grants to improve the stalking and domestic violence databases, as authorized by section 40602 of the 1994 Act;

(9) $9,935,000 to reduce violent crimes against women on campus, as authorized by section 1108(a) of Public Law 106–386;

(10) $39,740,000 for legal assistance for victims, as authorized by section 1201 of Public Law 106–386;

(11) $4,968,000 for enhancing protection for older and disabled women from domestic violence and sexual assault as authorized by section 40802 of the 1994 Act;

(12) $14,903,000 for the safe havens for children pilot program as authorized by section 1301 of Public Law 106–386;

(13) $15,000,000 shall be for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by Public Law 108–21; and

(14) $7,451,000 for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of Public Law 106–386.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the Act"), and other juvenile justice programs, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $352,700,000, to remain available until expended, as follows:

(1) $3,600,000 for concentration of Federal efforts, as authorized by section 204 of the Act;

(2) $84,000,000 for State and local programs authorized by section 221 of the Act, including training and technical assistance to assist small, non-profit organizations with the Federal grants process;

(3) $2,500,000 for research, evaluation, training and technical assistance, as authorized by sections 251 and 252 of the Act;

(4) $79,600,000 for demonstration projects as authorized by sections 261 and 262 of the Act;

(5) $80,000,000 for delinquency prevention, as authorized by section 505 of the Act, of which—

(A) $10,000,000 shall be for the Tribal Youth program;

(B) $20,000,000 shall be for a gang resistance education and training program to be coordinated with the Bureau of Alcohol, Tobacco, Firearms and Explosives; and

(C) $25,000,000 shall be for grants of $360,000 to each State and $6,640,000 shall be available for discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(6) $5,000,000 for Project Childsafe;

(7) $10,000,000 for the Secure Our Schools Act as authorized by Public Law 106–386;

(8) $15,000,000 for Project Sentry to reduce youth gun violence, and gang and drug-related crime;

(9) $13,000,000 for programs authorized by the Victims of Child Abuse Act of 1990; and

(10) $60,000,000 for the Juvenile Accountability Block Grants program as authorized by Public Law 107–273 and Guam shall be considered a State:

Provided, That not more than 10 percent of each amount in this section may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized, and not more than 2 percent of each amount may be used for training and technical assistance.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340); and $3,000,000, to remain available until expended for payments as authorized by section 1201(b) of said Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING RESCISSION)

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

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

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

SEC. 104. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 105. Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which publicly advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: Provided, That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated: Provided further, That rewards made pursuant to section 501 of Public Law 107–56 shall not be subject to this section.

SEC. 106. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as

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

SEC. 107. Section 114 of Public Law 107–77 shall remain in effect during fiscal year 2004.

SEC. 108. (a) Hereafter, the Attorney General is authorized to transfer, under such terms and conditions as the Attorney General shall specify, forfeited real or personal property of limited or marginal value, as such value is determined by guidelines established by the Attorney General, to a State or local government agency, or its designated contractor or transferee, for use to support drug abuse treatment, drug and crime prevention and education, housing, job skills, and other community-based public health and safety programs.

(b) Any transfer under the preceding proviso shall not create or confer any private right of action in any person against the United States, and shall be treated as a reprogramming under section 605 of this Act.

SEC. 109. Authorities contained in the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273) shall remain in effect until the effective date of a subsequent Department of Justice appropriations authorization Act.

SEC. 110. None of the funds appropriated or otherwise made available by this Act or any other Act to the Department of Justice shall be expended for the purpose of reimbursement or direct payments for the legal fees of an individual employed as an attorney in the Department of Justice for a matter in which the individual is the subject of a disciplinary recommendation for ethical misconduct by the Counsel for Professional Responsibility.

SEC. 111. In addition to the amounts provided under "Salaries and Expenses, United States Attorneys", $15,000,000 shall be for Project Seahawk and shall remain available until expended.

SEC. 112. (a)(1) None of the funds provided in this Act or hereafter may be used for courts or law enforcement officers for a tribe or village—

(A) in which fewer than 25 Native members live in the village year round; or

(B) that is located within the boundaries of the Fairbanks North Star Borough, the Matanuska Susitna Borough, the Municipality of Anchorage, the Kenai Peninsula Borough, the City and Borough of Juneau, the Sitka Borough, or the Ketchikan Borough.

(2)(A) There is established an Alaska Rural Justice and Law Enforcement Commission (hereinafter "Justice Commission"). The United States Attorney General shall appoint the Justice Commission which shall include a Federal Co-chairman, the Attorney General for the State of Alaska or his designee who shall act as the State Co-Chairman, the Commissioner of Public Safety for the State of Alaska, a representative from the Alaska Municipal League, a representative from an organized borough, a representative of the Alaska Federation of Natives, a tribal representative, a representative from a non-profit Native corporation that operates Village Public Safety Officer programs, and a representative from the Alaska Native Justice Center. The chief judge for the Federal District Court for the District of Alaska may also appoint a non-voting representa-

tive to provide technical support. The Justice Commission may hire such staff as is necessary to assist with its work.

(B) The Justice Commission shall review Federal, State, local, and tribal jurisdiction over civil and criminal matters in Alaska but outside the Municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough, the Matanuska-Susitna Borough, the City and Borough of Juneau, the Sitka Borough, and the Ketchikan Borough. It shall make recommendations to Congress and the Alaska State Legislature no later than May 1, 2004, on options which shall include the following—

(i) create a unified law enforcement system, court system, and system of local laws or ordinances for Alaska Native villages and communities of varying sizes including the possibility of first, second, and third class villages with different powers;

(ii) meet the law enforcement and judicial personnel needs in rural Alaska including the possible use of cross deputization in a way that maximizes the existing resources of Federal, State, local, and tribal governments;

(iii) address the needs to regulate alcoholic beverages including the prohibition of the sale, importation, use, or possession of alcoholic beverages and to provide restorative justice for persons who violate such laws including treatment; and

(iv) address the problem of domestic violence and child abuse including treatment options and restorative justice.

(b)(1) The General Accounting Office shall immediately begin a review of Federal programs benefitting rural communities in Alaska including the name of each program and the department or agency that administers it, the amount of funds provided to Alaska through each program, a list of the statutes and regulations governing use of funds for each program, and any data demonstrating the performance of each program. With respect to housing programs, the study shall determine the number of houses built by each Native housing authority including the cost per house. The Office shall submit a report of its findings to the House and Senate Committees on Appropriations, and to the Alaska Federation of Natives no later than April 30, 2004.

(2) The Alaska Federation of Natives, in consultation with the Alaska Municipal League, may review the delivery of Federal programs in Alaska and make recommendations to the Congress to reduce duplication, improve and consolidate delivery of services, streamline application and administrative procedures, improve accountability, mandate performance measures, and other actions to reduce costs and improve efficiency.

(c) The Federal Advisory Committee Act shall not apply to this section.

(d) Amend the Denali Commission Act (Title III of Public Law 105–277) by adding a new section as follows:

"SEC. 310. (a) The Federal Co-chairman of the Denali Commission shall appoint an Economic Development Committee to be chaired by the president of the Alaska Federation of Natives which shall include the Commissioner of Community and Economic Affairs for the State of Alaska, a representative from the Alaska Bankers Association, the chairman of the Alaska Permanent Fund, a representative from the Alaska State Chamber of Commerce, and a representative from each region. Of the regional representatives, at

least two each shall be from Native regional corporations, Native non-profit corporations, tribes, and borough governments.

"(b) The Economic Development Committee is authorized to consider and approve applications from Regional Advisory Committees for grants and loans to promote economic development and promote private sector investment to reduce poverty in economically distressed rural villages. The Economic Development Committee may make mini-grants to individual applicants and may issue loans under such terms and conditions as it determines.

"(c) The State Co-chairman of the Denali Commission shall appoint a Regional Advisory Committee for each region which may include representatives from local, borough, and tribal governments, the Alaska Native non-profit corporation operating in the region, local Chambers of Commerce, and representatives of the private sector. Each Regional Advisory Committee shall develop a regional economic development plan for consideration by the Economic Development Committee.

"(d) The Economic Development Committee, in consultation with the First Alaskans Institute, may develop rural development performance measures linking economic growth to poverty reduction to measure the success of its program which may include economic, educational, social, and cultural indicators. The performance measures will be tested in one region for two years and evaluated by the University of Alaska before being deployed statewide. Thereafter, performance in each region shall be evaluated using the performance measures, and the Economic Development Committee shall not fund projects which do not demonstrate success.

"(e) Within the amounts made available annually to the Denali Commission for training, the Commission may make a grant to the First Alaskans Foundation upon submittal of an acceptable work plan to assist Alaska Natives and other rural residents in acquiring the skills and training necessary to participate fully in private sector business and economic and development opportunities through fellowships, scholarships, internships, public service programs, and other leadership initiatives.

"(f) The Committee shall sponsor a statewide economic development summit in consultation with the World Bank to evaluate the best practices for economic development worldwide and how they can be incorporated into regional economic development plans.

"(g) There is authorized to be appropriated such sums as may be necessary to the following agencies which shall be transferred to the Denali Commission as a direct lump sum payment to implement this section:

"(1) Department of Commerce, Economic Development Administration,

"(2) Department of Housing and Urban Development,

"(3) Department of the Interior, Bureau of Indian Affairs,

"(4) Department of Agriculture, Rural Development Administration, and

"(5) Small Business Administration.".

SEC. 113. For an additional amount for the "Local Law Enforcement Block Grant" program to be provided to the City of San Juan, Puerto Rico, $550,000.

SEC. 114. Of the unobligated balances available to the Department of Justice from prior year appropriations with the exception of

funds provided for counterterrorism activities, counterintelligence activities, white collar crime enforcement, organized crime enforcement, and drug enforcement, $100,000,000 are rescinded: Provided, That within 30 days after the date of the enactment of this section the Attorney General shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the amount of each rescission made pursuant to this section.

This title may be cited as the "Department of Justice Appropriations Act, 2004".

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $41,994,000, of which $1,000,000 shall remain available until expended: Provided, That not to exceed $124,000 shall be available for official reception and representation expenses: Provided further, That not less than $2,000,000 provided under this heading shall be for expenses authorized by 19 U.S.C. 2451 and 1677b(c): Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $58,295,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad,

without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $395,123,000, to remain available until expended, of which $13,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That $46,669,000 shall be for Manufacturing and Services; $38,204,000 shall be for Market Access and Compliance; $68,160,000 shall be for the Import Administration of which $3,000,000 is to establish an Office of China Compliance; $217,040,000 shall be for the United States and Foreign Commercial Service of which $1,500,000 is for the Advocacy Center, $2,500,000 is for the Trade Information Center, and $2,100,000 is for a China and Middle East Business Center; and $25,050,000 shall be for Executive Direction and Administration: Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $68,203,000, to remain available until September 30, 2005, of which $7,203,000 shall be for inspections and other activities related to national security: Provided, That the pro-

visions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, $288,115,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $30,565,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $28,859,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $75,000,000, to remain available until September 30, 2005.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $194,811,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses related to the 2010 decennial census, $255,200,000, to remain available until September 30, 2005: Provided, That, of the total amount available related to the 2010 decen-

nial census, $107,090,000 is for the Re-engineered Design Process for the Short-Form Only Census, $64,800,000 is for the American Community Survey, and $83,310,000 is for the Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) system.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, $180,853,000, to remain available until September 30, 2005, of which $80,082,000 is for economic statistics programs and $100,771,000 is for demographic statistics programs: Provided, That regarding engineering and design of a facility at the Suitland Federal Center, quarterly reports regarding the expenditure of funds and project planning, design and cost decisions shall be provided by the Bureau, in cooperation with the General Services Administration, to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That none of the funds provided in this or any other Act under the heading "Bureau of the Census, Periodic Censuses and Programs" shall be used to fund the construction and tenant build-out costs of a facility at the Suitland Federal Center.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $14,604,000, to remain available until September 30, 2005: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, $22,000,000, to remain available until expended as authorized by section 391 of the Act: Provided, That not to exceed $2,000,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

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

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, $1,222,460,000, to remain available until expended, which amount shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: Provided, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2004, so as to result in a fiscal year 2004 appropriation from the general fund estimated at $0: Provided further, That during fiscal year 2004, should the total amount of offsetting fee collections be less than $1,222,460,000, the total amounts available to the United States Patent and Trademark Office shall be reduced accordingly: Provided further, That from amounts provided herein, not to exceed $1,000 shall be made available in fiscal year 2004 for official reception and representation expenses: Provided further, That, notwithstanding section 1353 of title 31, United States Code, no employee of the United States Patent and Trademark Office may accept payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an employee to attend and participate in a convention, conference, or meeting when the entity offering payment or reimbursement is a person or corporation subject to regulation by the Office, or represents a person or corporation subject to regulation by the Office, unless the person or corporation is an organization exempt from tax-

ation pursuant to section 501(c)(3) of the Internal Revenue Code of 1986.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology Office of Technology Policy, $6,411,000.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $344,366,000, to remain available until expended, of which not to exceed $282,000 may be transferred to the "Working Capital Fund".

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $39,607,000, to remain available until expended.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $179,175,000, to remain available until expended, of which $60,700,000 shall be expended for the award of new grants before September 30, 2004.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $64,954,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized, $2,686,520,000, to remain available until September 30, 2005, except for funds provided for cooperative enforcement which shall remain available until September 30, 2006: Provided, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That, in addition, $62,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research

Pertaining to American Fisheries": Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000, unless funds provided for "Coastal Zone Management Grants" exceed funds provided in the previous fiscal year: Provided further, That if funds provided for "Coastal Zone Management Grants" exceed funds provided in the previous fiscal year, then no State shall receive more than 5 percent or less than 1 percent of the additional funds: Provided further, That, of the $2,748,520,000 provided for in direct obligations under this heading (of which $2,686,520,000 is appropriated from the General Fund and $62,000,000 is provided by transfer), $513,910,000 shall be for the National Ocean Service, $639,990,000 shall be for the National Marine Fisheries Service, $400,813,000 shall be for Oceanic and Atmospheric Research, $729,685,000 shall be for the National Weather Service, $153,827,000 shall be for the National Environmental Satellite, Data, and Information Service, and $310,295,000 shall be for Program Support: Provided further, That no general administrative charge shall be applied against an assigned activity included in this Act or the report accompanying this Act: Provided further, That deobligated balances of funds provided under this heading in previous years shall be deposited in the United States Treasury General Fund: Provided further, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund shall not exceed $38,758,000: Provided further, That none of the funds under this heading are available to alter the existing structure, organization, function, and funding of the National Marine Fisheries Service Southwest Region and Fisheries Science Center and Northwest Region and Fisheries Science Center: Provided further, That, hereafter, the Secretary of Commerce may enter into cooperative agreements with the Joint and Cooperative Institutes as designated by the Secretary to use the personnel, services, or facilities of such organizations for research, education, training, and outreach: Provided further, That of the amounts appropriated under this heading, $1,207,000 shall be transferred to and merged with funds appropriated under the heading, "Salaries and Expenses, Marine Mammal Commission", of which $500,000 shall remain available until September 30, 2005: Provided further, That none of the funds in this Act may be used for the National Oceanic and Atmospheric Administration to implement the Department of Commerce's E-Government initiatives.

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

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $990,127,000, to remain available until September 30, 2006, except for funds appropriated for the National Marine Fisheries Service Honolulu Laboratory and the Marine Environmental Health Research Laboratory, which shall remain available until expended: Provided, That of the amounts pro-

vided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That none of the funds provided in this Act or any other Act under the heading "National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction" shall be used to fund the General Services Administration's standard construction and tenant build-out costs of a facility at the Suitland Federal Center.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $90,000,000.

FISHERIES FINANCE PROGRAM ACCOUNT

For the costs of direct loans as authorized by the Merchant Marine Act of 1936: Provided, That such costs, including the cost of modifying such loans, shall be as defined in the Federal Credit Reform Act of 1990: Provided further, That these funds are available to subsidize gross obligations for the principle amount of direct loans not to exceed $5,000,000 for Individual Fishing Quota loans, and not to exceed $59,000,000 for traditional direct loans, of which $40,000,000 may be used for direct loans to the United States distant water tuna fleet, and of which $19,000,000 may be used for direct loans to the United States menhaden fishery: Provided further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed $5,000 for official entertainment, $47,289,000: Provided, That not to exceed 12 full-time equivalents and $1,621,000 shall be expended for the legislative affairs function of the Department.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $21,116,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING RESCISSION)

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

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

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

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

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

SEC. 206. Hereafter, the Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103–356: Provided, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing capital shall be used to capitalize such fund: Provided further, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: Provided further, That such fund shall provide services on

a competitive basis: Provided further, That an amount not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2004 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of department financial management, automated data processing, and other support systems: Provided further, That such amounts retained in the fund for fiscal year 2004 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: Provided further, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury.

SEC. 207. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the "National Institute of Standards and Technology, Construction of Research Facilities", $14,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina, $5,000,000 is appropriated to the Thayer School of Engineering, of which $1,000,000 is for research relating to intelligent control of distributed systems, $2,000,000 is for a smart laser beam project, and $2,000,000 is for research relating to nanomagnetics, $500,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security and Technology Studies, $1,000,000 is appropriated for the Institute of Politics, and $500,000 is appropriated for the Coastal Conservation Center.

SEC. 208. Of the amount available from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", $10,000,000 shall be provided to the Alaska Fisheries Marketing Board, $2,000,000 shall be available to the Gulf and South Atlantic Fisheries Foundation, $2,000,000 shall be available to the South Carolina Seafood Alliance, $1,500,000 shall be available to the Oregon Trawl Commission, and $1,500,000 shall be available to the Oregon State University Seafood Laboratory: Provided, That (1) the Alaska Fisheries Marketing Board (hereinafter "the Board") shall be a nonprofit organization and not an agency or establishment of the United States, (2) the Secretary may appoint, assign, or otherwise designate as Executive Director an employee of the Department of Commerce, who may serve in an official capacity in such position, with or without reimbursement, and such appointment or assignment shall be without interruption or loss of civil service status or privilege, and (3) the Board may adopt bylaws consistent with the purposes of this section, and may undertake other acts necessary to carry out the provisions of this section.

SEC. 209. (a) Notwithstanding the provisions of the Public Works and Economic Development Act as amended (42 U.S.C. 3121, et seq.) or any other provision of law, the Economic Development Administration shall approve the sale, transfer, or conveyance, without compensation to the agency, of any land on the former Charleston Naval Base, located north of Viaduct Road which was improved by EDA project numbers 04–49–04196, 04–49–04280, 04–49–04462, and 04–49–04461 and funds obligated but not yet disbursed in connection with EDA project number 04–49–04347 shall remain available until expended and, as of September 30, 2003, shall be exempt from the application of section 1552 of title 31, United States Code.

(b) Notwithstanding any other provision of law, the Secretary of Commerce shall approve, without compensation to the Agency, a lease to be entered into by the city of Florence, Alabama, and Alabama Real Estate Holdings, Inc., containing such terms and conditions as the city of Florence determines appropriate, for use of the parcel of land (including improvements thereon) located in Florence, Alabama, that was improved using assistance from the Economic Development Administration under EDA project number 04–01–03963.

SEC. 210. (a) The Secretary of Commerce is authorized to operate a marine laboratory in South Carolina in accordance with a memorandum of agreement, including any future amendments, among the National Oceanic and Atmospheric Administration, the National Institute of Standards and Technology, the State of South Carolina, the Medical University of South Carolina, and the College of Charleston as a partnership for collaborative, interdisciplinary marine scientific research.

(b) To carry out subsection (a), the agencies that are partners in the Laboratory may accept, apply for, use, and spend Federal, State, private and grant funds as necessary to further the mission of the Laboratory without regard to the source or of the period of availability of these funds and may apply for and hold patents, as well as share personnel, facilities, and property. Any funds collected or accepted by any partner may be used to offset all or portions of its costs, including overhead, without regard to 31 U.S.C. section 143302(b); to reimburse other participating agencies for all or portions of their costs; and to fund research and facilities expansion. Funds for management and operation of the Laboratory may be used to sustain basic laboratory operations for all participating entities. The Secretary of Commerce is authorized to charge fees and enter into contracts, grants, cooperative agreements and other arrangements with Federal, State, private entities, and other entities, domestic and foreign, to further the mission of the Laboratory. Any funds collected from such fees or arrangements shall be used to support cooperative research, basic operations, and facilities enhancement at the Laboratory.

SEC. 211. EXTENSION OF GUARANTEE AUTHORITY. (a) IN GENERAL.—Section 101(k) of the Emergency Steel Loan Guarantee Act of 1999 (Public Law 106–51; 15 U.S.C. 1841 note) is amended by striking "2003" and inserting "2005".

(b) SALARIES AND EXPENSES.—In addition to funds made available under section 101(j) of Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note), up to $2,000,000 in funds made available under section 101(f) of such Act may be used for salaries and administrative expenses to administer the Emergency Steel Loan Guarantee Program.

SEC. 212. In addition to amounts made available under the heading "Procurement, Acquisition and Construction, National Oceanic and Atmospheric Administration" $1,500,000 shall be available for the Western Carolina University, $1,000,000 shall be available for the South Florida Museum, $140,000 shall be available for the French and Indian War Foundation, $1,000,000 shall be available for the City of Chattanooga, Tennessee, $1,000,000 shall be available for the University of Mississippi, $1,000,000 shall be available for the City of Charlotte, North Carolina, and $489,000

shall be available for a public safety marine docking facility for Hampton, New Hampshire.

SEC. 213. In addition to amounts appropriated or otherwise made available by this Act or any other Act, $500,000 shall be provided until expended for the Federal Credit Reform Act cost of a reduction loan under sections 1111 and 1112 of title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1279f, 1279g), not to exceed $50,000,000 in principal, that:

(1) notwithstanding 46 U.S.C. App. 1279f(b), shall have a term of not less than 30 years;

(2) carries out a New England lobster fishing capacity reduction program which may include fewer than all management areas of the fishery;

(3) permanently revokes all fishery licenses, fishery permits, area and species endorsements, and any other fishery privileges issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program; and

(4) ensures that all vessels removed from the fishery under the program are made permanently ineligible to participate in any fishery worldwide, and that the owners of such vessels will operate only under the United States flag or such vessels shall be scrapped as a reduction vessel pursuant to section 600.1011(c) of title 50, Code of Federal Regulations.

SEC. 214. In addition to amounts appropriated or otherwise made available by this Act or any other Act, $500,000 shall be provided until expended for the Federal Credit Reform Act cost of a reduction loan under sections 1111 and 1112 of title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1279f, 1279g), not to exceed $50,000,000 in principal, that:

(1) notwithstanding 46 U.S.C. App. 1279f(b), shall have a term of not less than 30 years;

(2) carries out a Bering Sea and Aleutian Islands non-pollock groundfish capacity reduction program which may include fewer than all management areas of the fishery;

(3) permanently revokes all fishery licenses, fishery permits, area and species endorsements, and any other fishery privileges issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program; and

(4) ensures that all vessels removed from the fishery under the program are made permanently ineligible to participate in any fishery worldwide, and that the owners of such vessels will operate only under the United States flag or such vessels shall be scrapped as a reduction vessel pursuant to section 600.1011(c) of title 50, Code of Federal Regulations.

SEC. 215. Of the unobligated balances available to the Department of Commerce from prior year appropriations with the exception of funds provided for coral reef activities, fisheries enforcement, the Ocean Health Initiative, land acquisition, and lab construction, $100,000,000 are rescinded: Provided, That within 30 days after the date of enactment of this section the Secretary of Commerce shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the amount of each rescission made pursuant to this section.

This title may be cited as the "Department of Commerce and Related Agencies Appropriations Act, 2004".

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $55,360,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect as authorized by law, $10,591,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $20,662,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $14,068,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $3,994,176,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects: Provided, That any funds appropriated in this Act to be used for the United States District Court for the Eastern District of Texas will also be made available

for the Sherman Division's expansion into Plano, Texas, and the Sherman Division is also granted authority to hold court proceedings there.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $3,193,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, $604,477,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), $57,822,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to providing protective guard services for United States courthouses and the procurement, installation, and maintenance of security equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $277,500,000, of which not to exceed $10,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Ad-

ministrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $66,000,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $21,440,000; of which $1,800,000 shall remain available through September 30, 2005, to provide education and training to Federal court personnel; and of which not to exceed $1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $25,700,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $700,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $2,600,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $12,354,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

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

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this

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

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

This title may be cited as the "Judiciary Appropriations Act, 2004".

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, $3,420,000,000: Provided, That not to exceed 69 permanent positions and $7,311,000 shall be expended for the Bureau of Legislative Affairs: Provided further, That, of the amount made available under this heading, not to exceed $4,000,000 may be transferred to, and merged with, funds in the "Emergencies in the Diplomatic and Consular Service" appropriations account, to be available only for emergency evacuations and terrorism rewards: Provided further, That, of the amount made available under this heading, $301,563,000 shall be available only for public diplomacy international information programs: Provided further, That of the amount made available under this heading, $3,000,000 shall be available only for the establishment and operations of an Office on Right-Sizing the United States Government Overseas Presence: Provided further, That funds available under this heading may be available for a United States Government interagency task force to examine, coordinate and oversee United States participation in the United Nations headquarters renovation project: Provided further, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations of the House of Representatives and the Senate are notified of such proposed action.

In addition, not to exceed $1,371,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act; in addition, as authorized by section 5 of such Act, $490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security upgrades, $646,701,000, to remain available until expended: Provided, That, of the amounts made available under this paragraph, $5,000,000 is for the State Department to establish the Center for Antiterrorism and Security Training.

In addition, for the costs of worldwide OpenNet and classified connectivity infrastructure, $40,000,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $80,000,000, to remain available until expended, as authorized: Provided, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $31,703,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96–465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $320,000,000, to remain available until expended: Provided, That not to exceed $2,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

REPRESENTATION ALLOWANCES

For representation allowances as authorized, $9,000,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $10,000,000, to remain available until September 30, 2005.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292–303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $530,000,000, to remain available until expended as authorized, of which not to exceed $20,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $861,400,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

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

REPATRIATION LOANS PROGRAM ACCOUNT

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

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $18,782,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $134,979,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $1,010,463,000: Provided, That the Secretary of State shall transmit to the Committees on Appropriations of the Senate and of the House of Representatives the most recent biennial budget prepared by the United Nations for the operations of the United Nations: Provided

further, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations to exceed the adopted budget for the biennium 2002–2003 of $2,891,000,000: Provided further, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: Provided further, That funds appropriated under this paragraph may be obligated and expended to pay the full United States assessment to the civil budget of the North Atlantic Treaty Organization.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $550,200,000, of which 10 percent shall remain available until September 30, 2005: Provided, That of the amount provided under this heading, $95,358,000 shall be derived from prior year unobligated balances from funds previously appropriated under this heading: Provided further, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds made available under this heading are available to pay the United States share of the cost of court monitoring that is part of any United Nations peacekeeping mission.

INTERNATIONAL COMMISSIONS

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

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

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

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $26,000,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $3,551,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182, $8,944,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $19,300,000: Provided, That the United State's share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), $13,000,000, to remain available until expended, as authorized.

INTERNATIONAL CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

For a grant to the International Center for Middle Eastern-Western Dialogue Trust Fund, $7,000,000, for operation of the International Center for Middle Eastern-Western Dialogue, Istanbul, Turkey, to remain available until expended, of which $250,000 shall be made available out of such Trust Fund for the establishment and operation of a steering committee, which the Secretary of State shall appoint to establish the International Center for Middle Eastern-Western Dialogue.

INTERNATIONAL CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

For necessary expenses of the International Center for Middle Eastern-Western Dialogue, out of the International Center for Middle Eastern-Western Dialogue Trust Fund, the total amount of the interest and earnings accruing to such Fund before October 1, 2004, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2004, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2004, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $17,880,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376: Provided further, That, notwithstanding any other provision of law, the funds appropriated to the East-West Center appropriation in Public Law 108–7 may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, as amended.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $40,000,000 to remain available until expended.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, including the purchase, installation, rent, and improvement of facilities for radio and television transmission and reception to Cuba, $546,038,000, of which not to exceed $16,000 may be used for official receptions within the United States as authorized, not to exceed $35,000 may be used for representation abroad as authorized, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000 in receipts from cooperating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes: Provided, That of the amount made available under this heading, $42,250,000 shall be available to make and supervise grants to the Middle East Television Network, including Radio Sawa, for radio and television broadcasting to the Middle East.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, $11,395,000, to remain available until expended, as authorized.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

SEC. 404. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

SEC. 405. Section 2502 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11) is repealed.

SEC. 406. An application for a visa shall be denied without prejudice under section 221(g) of the Immigration and Nationality Act (8 U.S.C. 4 1201(g)) if the application is delayed for a period of more than 60 days from the date of application due to administrative processing by any agency in making a determination of inadmissibility under section 212(a)(3) of that Act (8 U.S.C. 1182(a)(3)).

SEC. 407. Funds appropriated by this Act for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 408. (a) The Senior Policy Operating Group on Trafficking in Persons, established under section 406 of division B of Public Law 108–7 to coordinate agency activities regarding policies (including grants and grant policies) involving the international trafficking in persons, shall coordinate all such policies related to the activities of traffickers and victims of severe forms of trafficking.

(b) None of the funds provided in this or any other Act shall be expended to perform functions that duplicate coordinating responsibilities of the Operating Group.

(c) The Operating Group shall continue to report only to the authorities that appointed them pursuant to section 406 of division B of Public Law 108–7.

SEC. 409. The Secretary of State shall provide to a member of the Committee on Appropriations of the Senate or the Committee on Appropriations of the House of Representatives a copy of each cable sent to or by a Department of State employee that pertains to any topic specified by the requesting member, regardless of the level of classification of the cable, not later than 15 days after the date on which the member makes a written or verbal request for such copies.

This title may be cited as the "Department of State and Related Agency Appropriations Act, 2004".

TITLE V—RELATED AGENCIES

ANTITRUST MODERNIZATION COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Antitrust Modernization Commission, as authorized by Public Law 107–273, $1,200,000, to remain available until expended.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, $496,000, as authorized by section 1303 of Public Law 99–83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

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

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), $3,000,000, to remain available until expended.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $1,615,000, to remain available until expended as authorized by section 3 of Public Law 99–7.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, $1,800,000, including not more than $3,000 for the purpose of official representation, to remain available until expended: Provided, That $300,000 shall be for the Political Prisoners Registry.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including serv-

ices as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $33,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, $328,400,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $600,000 for land and structure; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $273,958,000: Provided, That $272,958,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2004 so as to result in a final fiscal year 2004 appropriation estimated at $1,000,000: Provided further, That any offsetting collections received in excess of $272,958,000 in fiscal year 2004 shall remain available until expended, but shall not be available for obligation until October 1, 2004: Provided further, That notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $85,000,000 for fiscal year 2004.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $186,041,000, to remain available until expended: Provided, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: Provided further, That, notwithstanding any other provision of law, not to exceed $112,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: Provided further, That $23,100,000 in offsetting collections derived from fees sufficient to implement and enforce

the Telemarketing Sales Rule, promulgated under the Telephone Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2004, so as to result in a final fiscal year 2004 appropriation from the general fund estimated at not more than $50,941,000: Provided further, That none of the funds made available to the Federal Trade Commission may be used to enforce subsection (e) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t) or section 151(b)(2) of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1831t note): Provided further, That, not later than 60 days after the date of enactment of this Act, the Federal Trade Commission shall amend the Telemarketing Sales Rule to require telemarketers subject to the Telemarketing Sales Rule to obtain from the Federal Trade Commission the list of telephone numbers on the "do-not-call" registry once a month.

HELP Commission

SALARIES AND EXPENSES

For necessary expenses of the HELP Commission, $3,000,000, to remain available until expended.

Legal Services Corporation

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $338,848,000, of which $317,471,000 is for basic field programs and required independent audits; $2,600,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $13,300,000 is for management and administration; $2,977,000 is for client self-help and information technology; and $2,500,000 is for grants to offset losses due to census adjustments.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2003 and 2004, respectively, and except that section 501(a)(1) of Public Law 104–134 (110 Stat. 1321–51, et seq.) shall not apply to the use of the $2,500,000 to address loss of funding due to Census-based reallocations.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, $1,856,000.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

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

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $811,500,000; of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: Provided, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be credited to this account as offsetting collections: Provided further, That not to exceed $691,500,000 of such offsetting collections shall be available until expended for necessary expenses of this account: Provided further, That $120,000,000 shall be derived from prior year unobligated balances from funds previously appropriated to the Securities and Exchange Commission: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2004 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2004 appropriation from the general fund estimated at not more than $0.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 105–135, in-

cluding hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $325,750,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: Provided further, That $89,000,000 shall be available to fund grants for performance in fiscal year 2004 or fiscal year 2005 as authorized.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $13,000,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,910,000, to be available until expended; and for the cost of guaranteed loans, $79,132,000, as authorized by 15 U.S.C. 631 note, of which $45,000,000 shall remain available until September 30, 2005: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2004 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, shall not exceed $4,500,000,000: Provided further, That during fiscal year 2004 commitments for general business loans authorized under section 7(a) of the Small Business Act, shall not exceed $10,000,000,000 without prior notification of the Committees on Appropriations of the House of Representatives and Senate in accordance with section 605 of this Act: Provided further, That during fiscal year 2004 commitments to guarantee loans for debentures and participating securities under section 303(b) of the Small Business Investment Act of 1958, shall not exceed the levels established by section 20(i)(1)(C) of the Small Business Act.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $128,000,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, $56,188,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan program, $114,363,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which $500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General; of which

$105,363,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program; and of which $8,500,000 is for indirect administrative expenses: Provided, That any amount in excess of $8,500,000 to be transferred to and merged with appropriations for Salaries and Expenses for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

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

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572), $2,250,000: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, $2,000,000.

TITLE VI—GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

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

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

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

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to per-

sons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2004, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices; (6) reorganizes programs or activities; or (7) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2004, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects (including construction projects), or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

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

SEC. 607. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

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

SEC. 609. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce, or otherwise abide by the Memorandum of Agreement signed by the Federal Trade Commission and the Antitrust Division of the Department of Justice on March 5, 2002.

SEC. 610. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds that: (1) the United Nations undertaking is a peacekeeping mission; (2) such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 611. The Departments of Commerce, Justice, and State, the Judiciary and the Small Business Administration shall provide to the Committees on Appropriations of the Senate and of the House of Representatives a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

SEC. 612. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2004.

SEC. 613. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 614. Of the funds appropriated in this Act under the heading "Office of Justice Programs—State and Local Law Enforcement Assistance", not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.

SEC. 615. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

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

(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2004.

SEC. 617. (a) None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

(b) Subsection (a)(2) shall take effect not later than 180 days after enactment of this Act.

SEC. 618. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of $625,000,000 shall not be available for obligation until the following fiscal year.

SEC. 619. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 620. None of the funds appropriated or otherwise made available to the Department of State shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the determination of the Secretary of State under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Secretary of Homeland Security has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section.

SEC. 621. For additional amounts under the heading "Small Business Administration, Salaries and Expenses", $1,592,000 shall be available for the Advanced and Applied Polymer Processing Institute; $500,000 shall be available for Northeast South Dakota Tech-Based Skills Development; $750,000 shall be available for the Southern Methodist University Law School Rule of Law; $1,000,000 shall be available for the Accelerated Entrepreneur "AcE" Program; $500,000 shall be available for the National Mass Fatalities Insti-

tute; $1,000,000 shall be available for the Textile Tracers Program; $500,000 shall be available for the Maryland Technology-Based Rural Business Incubation Initiative; $1,000,000 shall be available for the Northeast Indiana Innovation Center; $750,000 shall be available for the Lewis and Clark Bicentennial Bi-State Safety Project; $1,000,000 shall be available for the Greenville Automotive Research Park; $1,000,000 shall be available for the Indiana University Kokomo Business Incubator; $1,593,000 shall be available for the Tuck School of Business for its partnership with the Minority Business Development Administration; $500,000 shall be available for Project Restore; $325,000 shall be available for the School of the Building Arts Trade Program; $500,000 shall be available for the South Carolina Export Consortium; $500,000 shall be available for the Freewoods Farm Living Farm Museum in Horry County, South Carolina; $1,590,000 shall be available for the Alaska InvestNet/Technology Venture Center and Tech Ranch in Montana; $1,000,000 shall be available for Youth and Family with Promises; $500,000 shall be available for the Wisconsin Procurement Institute; $1,000,000 shall be available for the Next Generation Economy Initiative; $1,000,000 shall be available for the Westside Intercept Project; $250,000 shall be available for the International Trade Data Network; $1,000,000 shall be available for the University of Missouri-St. Louis Information Technology Incubator Project; $750,000 shall be available for the Idaho Virtual Incubator/Lewis-Clark State College; $850,000 shall be available for the UNI Student Business Incubator; $1,500,000 shall be available for the promotion and operation of the grant to the Adelante Development Center, Inc., in Albuquerque, New Mexico; $250,000 shall be available for the Mississippi Delta Technology Council; $2,250,000 shall be available for a grant to the Virginia Community College System (VCCS) for improvement of distance learning programs; $175,000 shall be available for a grant to the Loudoun Convention and Visitors Association in Virginia; $100,000 shall be available for a grant to The Cedar Creek Battlefield Foundation; $100,000 shall be available for a grant to Belle Grove Plantation; $750,000 shall be available for a grant to Shenandoah University to develop a historical and tourism development facility; $1,000,000 shall be available for a grant to the Northern Virginia Technology Council for a technology entrepreneurship development and resource center; $100,000 shall be available for a grant to the Washington Airports Task Force to promote small business growth of passenger, cargo and other aviation services; $100,000 shall be available for a grant to Team Northeast Ohio; $500,000 shall be available for a grant to Wilberforce University for a technology initiative; $250,000 shall be available for a grant for REI Rural Business Resources Center in Seminole, Oklahoma; $1,100,000 shall be available for a grant to Iowa State University for the development of a research park biologics facility; $200,000 shall be available for a grant to the Clarion County Economic Development Corporation; $200,000 shall be available for a grant to the Venango Economic Development Corporation; $900,000 shall be available for a grant to the Illinois Institute of Technology to examine and assess advancements in biotechnologies; $1,000,000 shall be available for the Illinois Coalition for technology development assistance activities; $200,000 shall be available for a grant for the Port of Benton for the planning of a

science and technology park in Richland, Washington; $1,500,000 shall be available for a grant to Rockford Area Ventures, Rockford, Illinois, to establish a small manufacturing business incubator and technology research and development center; $100,000 shall be available for a grant to Western Kentucky University for a business incubator; $200,000 shall be available for a grant for the Chicago Field Museum for a collections resource center; $100,000 shall be available for a grant for the Purdue University School of Pharmacy for the development of a national center for pharmaceutical technology; $100,000 shall be available for a grant to the Cedarbridge Development Urban Renewal Corporation for facilities development; $100,000 shall be available for a grant for Concourse Village in the Bronx, New York; $500,000 shall be available for a grant to Pro Co Technology Computer Training Center in the Bronx, New York, for a computer learning center; $200,000 shall be available for a grant for the Promesa Foundation in South Bronx, New York, to provide community growth funding; $560,000 shall be available for a grant to Bronx Shepherds for a community resource center; $200,000 shall be available for a grant to HOGAR, Inc. in the Bronx, New York; $100,000 shall be available for a grant to the Alliance for Community Services for economic development in the Bronx, New York; $300,000 shall be available for a grant to Promesa Enterprises to provide services and support to community based organizations in the Bronx, New York; $300,000 shall be available for a grant to Bronx Overall Economic Development Corporation for technical assistance opportunities for businesses; $250,000 shall be available for a grant to St. Mary's College for a telecommunications initiative; $1,200,000 shall be available for a grant to the MountainMade Foundation to fulfill its charter purposes and to continue the initiative developed by the NTTC for outreach and promotion, business and sites development, the education of artists and craftspeople, and to promote small businesses, artisans and their products through market development, advertisement, commercial sale and other promotional means; $1,000,000 shall be available for the Providence, Rhode Island Center for Women and Enterprise for infrastructure development; $1,200,000 shall be available for a grant for Northwest Shoals Community College to establish a Center for Business and Industry; $950,000 shall be available for a grant to the Family and Children's Service in Minneapolis, Minnesota for community support and development programs; $1,000,000 shall be available for a grant to the Wisconsin Procurement Institute to develop an electronic based system to provide access and opportunity to Federal funding; $200,000 shall be for a grant to the National Association of Development Organizations Research Foundation to provide training and education assistance to small business development finance professionals; $750,000 shall be for a grant to the North Carolina Rural Economic Development Center for expenses and activities in support of the Capital Access Program; $500,000 shall be for a grant for the Women's Initiative for Self Employment in San Francisco, California; $400,000 shall be for a grant to Johnstown Area Regional Industries in Pennsylvania for workforce development training programs and Small Business Technology Centers; $400,000 shall be for a grant to Seton Hill University for expenses in support of the Virtual Entrepreneurial Center; $200,000 shall be for a grant to the Economic Growth Connection Paperless Procure-

ment Program; $200,000 shall be for a grant for the Ridgewood Myrtle Avenue Business Improvement District to conduct a redevelopment study; $400,000 shall be for a grant to Progress, Inc. to establish a Community Technology Center; $150,000 shall be for a grant for UPROSE for the "Sunset Youth Industries" project; $415,000 shall be available for a grant to the Southern and Eastern Kentucky Tourism Development Association for continuation of a regional tourism promotion initiative; and $300,000 shall be for the Arthur Avenue Retail Market in the Bronx, New York, for facility, improvement, and maintenance needs to meet the Market's business requirements: Provided, That Section 625 of Title I of Division B of Public Law 108–7 is amended with respect to a grant of: (1) $450,000 to the Bronx Council on the Arts by deleting the words "help promote stabilization of small arts organizations" and inserting the words "provide financial assistance to small arts organizations to help promote stabilization" in its place; and (2) $500,000 to the City of Merrill, Wisconsin by deleting all of the language following Wisconsin and replacing it with "for the capitalization of a business development fund.".

SEC. 622. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 623. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

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

SEC. 624. A Deputy Assistant Administrator for non-contiguous states and territories shall, through the Senior Executive Service, administer Small Business Administration programs in Alaska, Hawaii, and the territories, including disaster loans to fishermen, programs benefitting Alaska Native Corporations and Native Hawaiians, including but not limited to Section 8(a) and Historically Underutilized Business Zones, and all other programs serving Alaska Natives and Native Hawaiians. All disaster loans issued in Alaska shall be administered by the Small Business Administration and shall not be sold during fiscal year 2004.

SEC. 625. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 626. The Secretary of Commerce shall negotiate or reevaluate, with the consent of the President, international agreements affecting international ocean policy.

SEC. 627. The Departments of Commerce, Justice, State, the Judiciary, and the Small Business Administration shall each establish a policy under which eligible employees may participate in telecom-

muting to the maximum extent possible without diminished employee performance: Provided, That, not later than six months after the date of the enactment of this Act, each of the aforementioned entities shall provide that the requirements of this section are applied to 100 percent of the workforce: Provided further, That, of the funds appropriated in this Act for the Departments of Commerce, Justice, and State, the Judiciary, and the Small Business Administration, $200,000 shall be available to each Department or agency only to implement telecommuting programs: Provided further, That, every six months, each Department or agency shall provide a report to the Committees on Appropriations on the status of telecommuting programs, including the number of Federal employees eligible for, and participating in, such programs, and uses of funds designated under this section: Provided further, That each Department or agency shall designate a "Telework Coordinator" to be responsible for overseeing the implementation of telecommuting programs and serve as a point of contact on such programs for the Committees on Appropriations.

SEC. 628. The paragraph under the heading "Small Business Administration—Disaster Loans Program Account" in chapter 2 of division B of Public Law 107–117 is amended by inserting "or section 7(b) of the Small Business Act" after "September 11, 2001".

SEC. 629. The Telecommunications Act of 1996 is amended as follows—

(1) in section 202(c)(1)(B) by striking "35 percent" and inserting "39 percent";

(2) in section 202(c) by adding the following new paragraph at the end:

"(3) DIVESTITURE.—A person or entity that exceeds the 39 percent national audience reach limitation for television stations in paragraph (1)(B) through grant, transfer, or assignment of an additional license for a commercial television broadcast station shall have not more than 2 years after exceeding such limitation to come into compliance with such limitation. This divestiture requirement shall not apply to persons or entities that exceed the 39 percent national audience reach limitation through population growth.

"(4) FORBEARANCE.—Section 10 of the Communications Act of 1934 (47 U.S.C. 160) shall not apply to any person or entity that exceeds the 39 percent national audience reach limitation for television stations in paragraph (1)(B);"; and

(3) in section 202(h) by striking "biennially" and inserting "quadrennially" and by adding the following new flush sentence at the end:

"This subsection does not apply to any rules relating to the 39 percent national audience reach limitation in subsection (c)(1)(B).".

SEC. 630. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) The Bureau of Alcohol, Tobacco, Firearms, and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale

and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 631. Section 503(f) of the Small Business Investment Act of 1958 (15 U.S.C. 697(f)) shall be amended by substituting "March 15, 2004" for the last date that appears in the subsection.

SEC. 632. In addition to amounts otherwise appropriated in this Act, the unobligated balances previously made available by section 507(g) of Public Law 105–135 shall be available until expended for the cost of general business loans under section 7(a) of the Small Business Act.

SEC. 633. (a) There is established in the Treasury of the United States a trust fund to be known as the International Center for Middle Eastern-Western Dialogue Trust Fund. The income from the fund shall be used for operations of the International Center for Middle Eastern-Western Dialogue to promote dialogue and scholarship in the Middle East. The fund may accept contributions and gifts from public and private sources.

(b) It shall be the duty of the Secretary of the Treasury to invest in full amounts made available to the fund. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. The interest on, and the proceeds from the sale or redemption of, any obligations held in the fund shall be credited to and form a part of the fund and shall remain available without fiscal year limitation.

(c) For each fiscal year, there is authorized to be appropriated from the fund for the operations of the International Center for Middle Eastern-Western Dialogue the total amount of the interest and earnings credited to the fund under subsection (b).

(d) There are authorized to be appropriated to the International Center for Middle Eastern-Western Dialogue Trust Fund, without fiscal year limitation, such sums as may be necessary to carry out the provisions of this section and to provide for the permanent endowment for the International Center for Middle Eastern-Western Dialogue established under this section.

(e) The United States, through the Department of State, shall retain ownership of the Palazzo Corpi building in Istanbul, Turkey, and the Secretary of State shall be responsible for maintaining the International Center for Middle Eastern-Western Dialogue at such location.

(f) Section 1321(a) of title 31, United States Code, is amended by inserting after "(58) Inmates' fund, workhouse and reformatory, District of Columbia." the following new paragraph:

"(59) International Center for Middle Eastern-Western Dialogue Trust Fund.".

SEC. 634. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

SEC. 635. None of the funds made available in this Act may be used to pay expenses for any United States delegation to the United Nations Human Rights Commission if such commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has repeatedly provided support for acts of international terrorism.

SEC. 636. None of the funds made available in this Act may be used in violation of section 212(a)(10)(C) of the Immigration and Nationality Act.

SEC. 637. (a) This section may be cited as the "HELP Commission Act".

(b)(1) The Congress finds that, despite the long-standing efforts and resources of the United States dedicated to helping needy people around the world, despair remains and in many areas is growing.

(2) Therefore, a commission should be established to bring together the best minds associated with development and humanitarian assistance to make a comprehensive review of—

(A) policy decisions, including why certain development projects are funded and others are not, successes, and best practices, including their applicability to other existing programs and projects;

(B) delivery obstacles, including the roles of United States agencies and other governmental and nongovernmental organizations;

(C) methodology, including whether the delivery of United States development assistance always represents best practices and whether it can be improved; and

(D) results, including measuring improvements in human capacity instead of in purely economic terms.

(3) An examination of these issues should present new approaches and ideas to ensure that United States development assistance reaches and benefits its intended recipients.

(c)(1) There is established the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission (in this section referred to as the "Commission").

(2) The Commission shall—

(A) identify the past and present objectives of United States development assistance, identify cases in which those objectives have been met, identify the beneficiaries of such assistance, and what percentage of the funds provided actually reached the intended beneficiaries;

(B) identify cases in which United States development assistance has been most successful, and analyze how such successes may be transferable to other countries or areas;

(C) study ways to expand educational opportunities and investments in people, and assess infrastructure needs;

(D) analyze how the United States could place conditions on governments in countries receiving United States develop-

ment assistance, in light of and notwithstanding the objectives of the Millennium Challenge Account;

(E) analyze ways in which the United States can coordinate its development assistance programs with those of other donor countries and international organizations;

(F) analyze ways in which the safety of development assistance workers can be ensured, particularly in the midst of conflicts;

(G) compare the effectiveness of increased and open trade with development assistance, and analyze the advantages and disadvantages of such trade and whether such trade could be a more effective alternative to United States development assistance;

(H) analyze ways in which the United States can strengthen the capacity of indigenous nongovernmental organizations to be more effective in grassroots development;

(I) analyze ways in which decisions on providing development assistance can involve more of the people of the recipient countries;

(J) analyze ways in which results can be measured if United States development assistance is targeted to the least developed countries;

(K) recommend standards that should be set for "graduating" recipient countries from United States development assistance;

(L) analyze whether United States development assistance should be used as a means to achieve United States foreign policy objectives;

(M) analyze how the United States can evaluate the performance of its development assistance programs not only against economic indicators, but in other ways, including how to measure the success of United States development assistance in democratization efforts; and evaluate the existing foreign assistance framework to ascertain the degree of coordination, or lack thereof, of the disparate foreign development programs as administered by the various Federal agencies, to identify and assess the redundancies of programs and organizational structures engaged in foreign assistance, and to recommend revisions to authorizing legislation for foreign assistance that would seek to reconcile competing foreign policy and foreign aid goals; and

(N) study any other areas that the Commission considers necessary relating to United States development assistance.

(d)(1) The Commission shall be composed of 21 members as follows:

(A) Six members shall be appointed by the President, of whom at least two shall be representatives of nongovernmental organizations.

(B) Four members shall be appointed by the majority leader of the Senate, and three members shall be appointed by the minority leader of the Senate.

(C) Four members shall be appointed by the Speaker of the House of Representatives, and three members shall be appointed by the minority leader of the House of Representatives.

(D) The Administrator of the United States Agency for International Development shall serve as a member of the Commission, ex officio.

(2) Members under subparagraphs (A) through (C) of paragraph (1) shall be appointed for the life of the Commission.

(3) Members of the Commission shall be selected from among individuals noted for their knowledge and experience in foreign assistance, particularly development and humanitarian assistance.

(4) The appointments under paragraph (1) shall be made not later than 60 days after the date of the enactment of this section.

(5) The President shall designate one of the members of the Commission not currently in government service as the Chair of the Commission.

(6) In order to facilitate the workload of the Commission, the Commission shall divide the membership of the Commission into three subcommittees representing the different regions of the world to which the United States provides development assistance, the membership of each subcommittee to be proportional to the percentage of United States development assistance provided to the region represented by the subcommittee. Each subcommittee shall elect one of its members as Chair of the subcommittee.

(7)(A) Eleven members of the Commission shall constitute a quorum for purposes of transacting the business of the Commission. The Commission shall meet at the call of the Chair.

(B) A majority of the members of each regional subcommittee shall constitute a quorum for purposes of transacting the business of the subcommittee. Each subcommittee shall meet at the call of the Chair of the subcommittee.

(8) Any vacancy of the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(9) The Administrator of General Services shall provide to the Commission on a reimbursable basis (or, in the discretion of the Administrator, on a nonreimbursable basis) such administrative support services as the Commission may request to carry out this section.

(10)(A) Subject to subparagraph (B), members of the Commission shall serve without pay.

(B) Members of the Commission who are full-time officers or employees of the United States or Members of Congress may not receive additional pay, allowances, or benefits by reason of their service on the Commission.

(11) Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(12)(A) The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) To the extent or in the amounts provided in advance in appropriations Acts—

(i) the executive director shall be compensated at the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code; and

(ii) the Chairman of the Commission may fix the compensation of other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for such personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(e)(1) The Commission may, for the purpose of carrying out its functions under this section, hold hearings, sit and act at times and places in the United States and in countries that receive United States development assistance, take testimony, and receive evidence as the Commission considers advisable to carry out the purposes of this section.

(2) The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this section. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission, subject to applicable law.

(3) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(4) The Commission may adopt such rules and regulations, relating to administrative procedure, as may be reasonably necessary to enable it to carry out the provisions of this section.

(5) The Members of the Commission may, with the approval of the Commission, conduct such travel as is necessary to carry out the purposes of this section. Each trip must be approved by a majority of the Commission.

(6) Upon the request of the Commission, the head of any Federal department or agency may detail, on a reimbursable or nonreimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its functions under this section. The detail of any such personnel shall be without interruption or loss of civil service or Foreign Service status or privilege.

(f)(1) Not later than 2 years after the members of the Commission are appointed under subsection (d)(1), the Commission shall submit a report to the President, the Secretary of State, the Committee on Appropriations and the Committee on International Relations of the House of Representatives, and the Committee on Appropriations and the Committee on Foreign Relations of the Senate, setting forth its findings and recommendations under section (c)(2).

(2) The report may be submitted in classified form, together with a public summary of recommendations, if the classification of information would further the purposes of this section.

(3) Each member of the Commission may include the individual or dissenting views of the member.

(g) The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(h) In this section, the term "United States development assistance" means—

(1) assistance provided by the United States under chapters 1, 10, 11, and 12 of part I of the Foreign Assistance Act of 1961; and

(2) assistance provided under any other provision of law to carry out purposes comparable to those set forth in the provisions referred to in paragraph (1).

(i)(1) There are authorized to be appropriated to the Commission such sums as may be necessary to carry out this section.

(2) Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended, but not later than the date of termination of the Commission.

(j) The Commission shall terminate 30 days after the submission of its report under subsection (f).

(k)(1) Not later than April 1, 2004, and April 1 of each third year thereafter, the President shall transmit to the Congress a report that analyzes, on a country-by-country basis, the impact and effectiveness of United States economic assistance furnished to each country during the preceding three fiscal years. The report shall include the following for each recipient country:

(A) An analysis of the impact of United States economic assistance during the preceding three fiscal years on economic development in that country, with a discussion of the United States interests that were served by the assistance. The analysis shall be done on a sector-by-sector basis to the extent possible and shall identify any economic policy reforms that were promoted by the assistance. The analysis shall—

(i) include a description, quantified to the extent practicable, of the specific objectives the United States sought to achieve in providing economic assistance for that country; and

(ii) specify the extent to which those objectives were not achieved, with an explanation of why they were not achieved.

(B) A description of the amount and nature of economic assistance provided by other donors during the preceding three fiscal years, set forth by development sector to the extent possible.

(C) A discussion of the commitment of the host government to addressing the country's needs in each development sector, including a description of the resources devoted by that government to each development sector during the preceding three fiscal years.

(D) A description of the trends, both favorable and unfavorable, in each development sector.

(E) Statistical and other information necessary to evaluate the impact and effectiveness of United States economic assistance on development in the country.

(F) A comparison of the analysis provided in the report with relevant analyses by international financial institutions, other international organizations, other donor countries, or nongovernmental organizations.

(2) The report required by this section shall identify—

(A) each country in which United States economic assistance has been most successful, as indicated by the extent to which the specific objectives the United States sought to achieve in providing the assistance for the country, as referred to in paragraph (1)(A)(i), were achieved; and

(B) each country in which United States economic assistance has been least successful, as indicated by the extent to which the specific objectives the United States sought to achieve in providing the assistance for the country, as referred to in paragraph (1)(A)(i), were not achieved; and, for each such country, an explanation of why the assistance was not more successful and a specification of what the United States has done as a result.

(3) Information under paragraphs (1) and (2) for a fiscal year shall not be required with respect to a country for which United States economic assistance for the country for the fiscal year is less than $5,000,000.

(4) In this subsection, the term "United States economic assistance" means any bilateral economic assistance, from any budget functional category, that is provided by any department or agency of the United States to a foreign country, including such assistance that is intended—

(A) to assist the development and economic advancement of friendly foreign countries and peoples;

(B) to promote the freedom, aspirations, or sustenance of friendly peoples under oppressive rule by unfriendly governments;

(C) to promote international trade and foreign direct investment as a means of aiding economic growth;

(D) to save lives and alleviate suffering of foreign peoples during or following wars, natural disasters, or complex crisies;

(E) to assist in recovery and rehabilitation of countries or peoples following disaster or war;

(F) to protect refugees and promote durable solutions to aid refugees;

(G) to promote sound environmental practices;

(H) to assist in development of democratic institutions and good governance by the people of foreign countries;

(I) to promote peace and reconciliation or prevention of conflict;

(J) to improve the technical capacities of governments to reduce production of and demand for illicit narcotics; and

(K) to otherwise promote through bilateral foreign economic assistance the national objectives of the United States.

SEC. 638. (a) There is hereby rescinded an amount equal to 0.465 percent of the budget authority provided for fiscal year 2004 for any discretionary account in this Act.

(b) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in subsection (a); and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for ac-

counts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, $67,326,000 are rescinded.

COUNTERTERRORISM FUND

(RESCISSION)

Of the unobligated balances available under this heading, $40,000,000 are rescinded.

LEGAL ACTIVITIES

ASSET FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $61,608,000 are rescinded.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

(RESCISSION)

Of the unobligated balances available under this heading, $51,895,000 are rescinded.

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(RESCISSION)

Of the unobligated balances available under this heading, $21,600,000 are rescinded.

COMMUNITY ORIENTED POLICING SERVICES

(RESCISSION)

Of the unobligated balances available under this heading, $6,378,000 are rescinded.

JUVENILE JUSTICE PROGRAMS

(RESCISSION)

Of the unobligated balances available under this heading, $15,900,000 are rescinded.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

(RESCISSION)

Of the appropriations made available for travel and tourism by section 210 of Public Law 108–7, $40,000,000 are rescinded.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

COASTAL AND OCEAN ACTIVITIES

(RESCISSION)

Of the appropriations made available for coastal and ocean activities by Public Law 106–553, $2,500,000 are rescinded.

TITLE VIII—ALASKAN FISHERIES

SEC. 801. BERING SEA AND ALEUTIAN ISLANDS CRAB RATIONALIZATION. Section 313 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), as amended, is further amended by adding at the end thereof the following:

"(j) BERING SEA AND ALEUTIAN ISLANDS CRAB RATIONALIZATION.—

"(1) By not later than January 1, 2005, the Secretary shall approve and hereafter implement by regulation the Voluntary Three-Pie Cooperative Program for crab fisheries of the Bering Sea and Aleutian Islands approved by the North Pacific Fishery Management Council between June 2002 and April 2003, and all trailing amendments including those reported to Congress on May 6, 2003. This section shall not preclude the Secretary from approving by January 1, 2005, and implementing any subsequent program amendments approved by the Council.

"(2) Notwithstanding any other provision of this Act, in carrying out paragraph (1) the Secretary shall approve all parts of the Program referred to in such paragraph. Further, no part of such Program may be implemented if, as approved by the North Pacific Fishery Management Council, individual fishing quotas, processing quotas, community development quota allocation, voluntary cooperatives, binding arbitration, regional landing and processing requirements, community protections, economic data collection, or the loan program for crab fishing vessel captains and crew members, is invalidated subject to a judicial determination not subject to judicial appeal. If the Secretary determines that a processor has leveraged its Individual Processor Quota shares to acquire a harvesters open-delivery "B shares", the processor's Individual Processor Quota shares shall be forfeited.

"(3) Subsequent to implementation pursuant to paragraph (1), the Council may submit and the Secretary may implement changes to or repeal of conservation and management measures, including measures authorized in this section, for crab fisheries of the Bering Sea and Aleutian Islands in accordance

with applicable law, including this Act as amended by this subsection, to achieve on a continuing basis the purposes identified by the Council.

"(4) The loan program referred to in paragraph (2) shall be carried out pursuant to the authority of sections 1111 and 1112 of title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1279f, 1279g).

"(5) For purposes of implementing this section $1,000,000 shall be made available each year until fully implemented from funds otherwise made available to the National Marine Fisheries Service for Alaska fisheries activities.

"(6) Nothing in this Act shall constitute a waiver, either express or implied, of the antitrust laws of the United States. The Secretary, in consultation with the Department of Justice and the Federal Trade Commission, shall develop and implement a mandatory information collection and review process to provide any and all information necessary for the Department of Justice and the Federal Trade Commission to determine whether any illegal acts of anti-competition, anti-trust, or price collusion have occurred among persons receiving individual processing quotas under the Program. The Secretary may revoke any individual processing quota held by any person found to have violated a provision of the antitrust laws of the United States.

"(7) An individual processing quota issued under the Program shall be considered a permit for the purposes of sections 307, 308, and 309, and may be revoked or limited at any time in accordance with this Act. Issuance of an individual processing quota under the program shall not confer any right of compensation to the holder of such individual processing quota if it is revoked or limited and shall not create, or be construed to create, any right, title, or interest in or to any fish before the fish is purchased from an individual fishing quota holder.

"(8) The restriction on the collection of economic data in section 303 shall not apply with respect to any fish processor who is eligible for, or who has received, individual processing quota under the Program. The restriction on the disclosure of information in section 402(b)(1) shall not apply when the information is used to determine eligibility for or compliance with an individual processing quota program.

"(9) The provisions of sections 308, 310, and 311 shall apply to the processing facilities and fish products of any person holding individual processing quota, and the provisions of subparagraphs (D), (E), and (L) of section 307(l) shall apply to any facility owned or controlled by a person holding individual processing quota.".

SEC. 802. GULF OF ALASKA ROCKFISH DEMONSTRATION PROGRAM. The Secretary of Commerce, in consultation with the North Pacific Fishery Management Council, shall establish a pilot program that recognizes the historic participation of fishing vessels (1996 to 2002, best 5 of 7 years) and historic participation of fish processors (1996 to 2000, best 4 of 5 years) for Pacific ocean perch, northern rockfish, and pelagic shelf rockfish harvested in Central Gulf of Alaska. Such a pilot program shall (1) provide for a set-aside of up to 5 percent for the total allowable catch of such fisheries for catcher vessels not eligible to participate in the pilot pro-

gram, which shall be delivered to shore-based fish processors not eligible to participate in the pilot program; (2) establish catch limits for non-rockfish species and non-target rockfish species currently harvested with pacific ocean perch, northern rockfish, and pelagic shelf rockfish, which shall be based on historical harvesting of such bycatch species. The pilot program will sunset when a Gulf of Alaska Groundfish comprehensive rationalization plan is authorized by the Council and implemented by the Secretary, or 2 years from date of implementation, whichever is earlier.

SEC. 803. ALEUTIAN ISLANDS FISHERIES DEVELOPMENT. (a) ALEUTIAN ISLANDS POLLOCK ALLOCATION.—Effective January 1, 2004 and thereafter, the directed pollock fishery in the Aleutian Islands Subarea [AI] of the BSAI (as defined in 50 CFR 679.2) shall be allocated to the Aleut Corporation (incorporated pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)). Except with the permission of the Aleut Corporation or its authorized agent, the fishing or processing of any part of such allocation shall be prohibited by section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857), subject to the penalties and sanctions under section 308 of such Act (16 U.S.C. 1858), and subject to the forfeiture of any fish harvested or processed.

(b) ELIGIBLE VESSELS.—Only vessels that are 60 feet or less in length overall and have a valid fishery endorsement, or vessels that are eligible to harvest pollock under section 208 of Title II of Division C of Public Law 105–277, shall be eligible to form partnerships with the Aleut Corporation (or its authorized agents) to harvest the allocation under subsection (a). During the years 2004 through 2008, up to 25 percent of such allocation may be harvested by vessels 60 feet or less in length overall. During the years 2009 through 2013, up to 50 percent of such allocation may be harvested by vessels 60 feet or less in length overall. After the year 2012, 50 percent of such allocation shall be harvested by vessels 60 feet or less in length overall, and 50 percent shall be harvested by vessels eligible under such section of Public Law 105–277.

(c) GROUNDFISH OPTIMUM YIELD LIMITATION.—The optimum yield for groundfish in the Bering Sea and Aleutian Islands Management Area shall not exceed 2 million metric tons. For the purposes of implementing subsections (a) and (b) without adversely affecting current fishery participants, the allocation under subsection (a) may be in addition to such optimum yield during the years 2004 through 2008 upon recommendation by the North Pacific Council and approval by the Secretary of Commerce (if consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)).

(d) MANAGEMENT AND ALLOCATION.—For the purposes of this section, the North Pacific Fishery Management Council shall recommend and the Secretary shall approve an allocation under subsection (a) to the Aleut Corporation for the purposes of economic development in Adak, Alaska pursuant to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 804. A Council or the Secretary may not consider or establish any program to allocate or issue an individual processing quota or processor share in any fishery of the United States other than the crab fisheries of the Bering Sea and Aleutian Islands.

This division may be cited as the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004".

DIVISION C—DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2004

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia and related agencies for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I—FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $17,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: Provided further, That not more than 7 percent of the total amount appropriated for this program may be used for administrative expenses.

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

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or

city officials of surrounding jurisdictions, $11,000,000, to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: Provided, That any amount provided under this heading shall be available only after notice of its proposed use has been transmitted by the President to Congress and such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $167,765,000, to be allocated as follows: for the District of Columbia Court of Appeals, $8,775,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $83,387,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $40,006,000, of which not to exceed $1,500 is for official reception and representation expenses; and $35,597,000, to remain available until September 30, 2005, for capital improvements for District of Columbia courthouse facilities: Provided, That funds made available for capital improvements shall be expended consistent with the General Services Administration master plan study and building evaluation report: Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate: Provided further, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than $1,000,000 of the funds provided under this heading among the items and entities funded under such heading.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance and/or such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code, and

payments for counsel authorized under section 21–2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $32,000,000, to remain available until expended: Provided, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the $35,597,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: Provided further, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia shall use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the $35,597,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: Provided further, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia and the Public Defender Service for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $168,435,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which $105,814,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which $37,411,000 shall be available to the Pretrial Services Agency; and of which $25,210,000 shall be transferred to the Public Defender Service for the District of Columbia: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as

funds appropriated for salaries and expenses of other Federal agencies: Provided further, That notwithstanding chapter 12 of title 40, United States Code, the Director may acquire by purchase, lease, condemnation, or donation, and renovate as necessary, Building Number 17, 1900 Massachusetts Avenue, Southeast, Washington, District of Columbia to house or supervise offenders and defendants, with funds made available for this purpose in Public Law 107–96: Provided further, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: Provided further, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $30,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: Provided, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT FOR HOSPITAL BIOTERRORISM PREPAREDNESS IN THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia Department of Health to support hospital bioterrorism preparedness in the District of Columbia, $7,500,000, of which $3,750,000 shall be for the Children's National Medical Center in the District of Columbia for the expansion of quarantine facilities and the establishment of a decontamination facility, and $3,750,000 shall be for the Washington Hospital Center for construction of containment facilities.

FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT INITIATIVE

For a Federal payment to the District of Columbia Department of Transportation, $5,000,000, to remain available until September 30, 2005, for design and construction of a continuous pedestrian and bicycle trail system from the Potomac River to the District's border with Maryland.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,300,000, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR CAPITAL DEVELOPMENT IN THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia for capital development, $8,150,000, to remain available until expended, of

which $150,000 shall be for renovations at Eastern Market and $8,000,000 shall be for the Unified Communications Center.

FEDERAL PAYMENT FOR PUBLIC SCHOOL FACILITIES

For a Federal payment to the District of Columbia Public Schools, $4,500,000, of which $500,000 shall be for a window repair and reglazing program and $4,000,000 shall be for a playground repair and replacement program.

FEDERAL PAYMENT FOR A FAMILY LITERACY PROGRAM

For a Federal payment to the District of Columbia, $2,000,000 for a family literacy program to address the needs of literacy-challenged parents while endowing their children with an appreciation for literacy and strengthening familial ties: Provided, That the District of Columbia shall provide a 100 percent match with local funds as a condition of receiving this payment.

FEDERAL PAYMENT FOR TRANSPORTATION ASSISTANCE

For a Federal payment to the District of Columbia Department of Transportation, $3,500,000, of which $500,000 shall be allocated to implement a downtown circulator transit system, and of which $3,000,000 shall be to offset a portion of the District of Columbia's allocated operating subsidy payment to the Washington Metropolitan Area Transit Authority.

FEDERAL PAYMENT FOR FOSTER CARE IMPROVEMENTS IN THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia for foster care improvements, $14,000,000: Provided, That $9,000,000 shall be for the Child and Family Services Agency, of which $2,000,000 shall be to establish an early intervention program to provide intensive and immediate services for foster children; of which $1,000,000 shall be to establish an emergency support fund to purchase items necessary to allow children to remain in the care of an approved and licensed family member; of which $3,000,000 shall be for a loan repayment program for social workers who meet certain agency-established requirements; of which $3,000,000 shall be to upgrade the agency's computer database to a web-based technology and to provide computer technology for social workers: Provided further, That $3,900,000 shall be for the Department of Mental Health to provide all court-ordered or agency-required mental health screenings, assessments and treatments for children under the supervision of the Child and Family Services Agency: Provided further, That the Director of the Department of Mental Health shall initiate court-ordered or agency-required mental health services within 3 days of notification that service is needed: Provided further, That the Director of the Department of Mental Health shall ensure that court-ordered or agency-required mental health assessments are completed within 15 days of the request and that all assessments be provided to the Court within 5 days of completion of the assessment: Provided further, That $1,100,000 shall be for the Washington Metropolitan Council of Governments, to develop a program in conjunction with the Foster and Adoptive Parents Advocacy Center, to provide respite

care for and recruitment of foster parents: Provided further, That the Mayor shall submit a detailed expenditure plan for the use of funds provided under this heading within 15 days of enactment of this legislation to the Committees on Appropriations of the House of Representatives and Senate: Provided further, That the funds provided under this heading shall not be made available until 30 calendar days after the submission of a spending plan to the Committees on Appropriations of the House of Representatives and Senate: Provided further, That with the exception of funds provided for the Department of Mental Health and the Washington Metropolitan Council of Governments, no part of this appropriation may be used for contractual community-based services: Provided further, That the Comptroller General shall prepare and submit to the Committees on Appropriations of the House of Representatives and Senate an accounting of all obligations and expenditures of the funds provided under this heading: Provided further, That the Comptroller General shall initiate management reviews of the Child and Family Services Agency and the Department of Mental Health and shall submit a report to the Committees on Appropriations of the House of Representatives and Senate no later than 6 months after enactment of this Act.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, $32,350,000: Provided, That these funds shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act: Provided further, That each entity that receives funding under this heading shall submit to the Office of the Chief Financial Officer of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate a report on the activities carried out with such funds no later than March 15, 2004.

FEDERAL PAYMENT FOR EMERGENCY PERSONNEL CROSS TRAINING

For a Federal payment to the Emergency Management Agency, $500,000 for activities related to the cross training of police officers, firefighters, emergency medical technicians, and other emergency personnel: Provided, That this funding shall not be obligated until the Agency submits a detailed cross training plan for the District's public safety workforce to the Committees on Appropriations of the House of Representatives and Senate.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a School Improvement Program in the District of Columbia, $40,000,000, to be allocated as follows: for the District of Columbia Public Schools, $13,000,000 to improve public school education in the District of Columbia, as specified in the statement of the managers on the conference report accompanying this Act; for the State Education Office, $13,000,000 to expand quality charter schools in the District of Columbia, as specified in the statement of the managers on the conference report accompanying this Act; for the Secretary of the Department of Edu-

cation, $14,000,000 to provide opportunity scholarships for students in the District of Columbia in accordance with title III of this Act, of which up to $1,000,000 may be used to administer and fund assessments for title III of this Act: Provided, That the District of Columbia Public Schools shall submit a plan for the use of funds provided under this heading for public school education to the Committees on Appropriations of the House of Representatives and Senate, and the Committee on Education and the Workforce and the Committee on Government Reform of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate: Provided further, That the funds provided under this heading for public school education shall not be made available until 30 calendar days after the submission of a spending plan by the District of Columbia Public Schools to the Committees on Appropriations of the House of Representatives and Senate.

TITLE II—DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: Provided, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.50a) and section 417 and section 436 of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2004 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $6,326,138,000 (of which $3,832,734,000 shall be from local funds, $1,568,734,000 shall be from Federal grant funds, $910,904,000 shall be from other funds, and $13,766,000 shall be from private funds), in addition, $119,650,000 from funds previously appropriated in this Act as Federal payments: Provided further, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: Provided further, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2004, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $284,415,000 (including $206,825,000 from local funds, $57,440,000 from Federal grant funds, and $20,150,000 from other funds), in addition, $32,350,000 from funds previously appropriated in this Act under the heading

"Federal Payment to the Office of the Chief Financial Officer of the District of Columbia", $11,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia", $2,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for a family literacy program", and $1,100,000 from funds previously appropriated in this Act under the heading "Federal Payment for Foster Care Improvements in the District of Columbia": Provided, That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, $2,500 for the City Administrator, and $2,500 for the Office of the Chief Financial Officer shall be available from this appropriation for official reception and representation expenses: Provided further, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: Provided further, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally generated revenues: Provided further, That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Office of the Chief Technology Officer's delegated small purchase authority shall be $500,000: Provided further, That the District of Columbia government may not require the Office of the Chief Technology Officer to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: Provided further, That not to exceed $25,000, to remain available until expended, of the funds in the District of Columbia Antitrust Fund established pursuant to section 820 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Official Code, sec. 2–308.20) is hereby made available for the use of the Office of the Corporation Counsel of the District of Columbia in accordance with the laws establishing this fund.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $276,647,000 (including $53,336,000 from local funds, $91,077,000 from Federal grant funds, $132,109,000 from other funds, and $125,000 from private funds), of which $15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11–134; D.C. Official Code, sec. 2–1215.01 et seq.), and the Business Improvement Districts Amendment Act of 1997 (D.C. Law 12–26; D.C. Official Code, sec. 2–1215.15 et seq.): Provided, That such funds are available for acquiring services provided by the General Services Administration: Provided further, That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, $745,958,000 (including $716,715,000 from local funds, $10,290,000 from Federal grant funds, $18,944,000 from other funds, and $9,000 from private funds), in addition, $1,300,000 from funds previously appropriated in this Act under the heading "Federal Payment to the Criminal Justice Coordinating Council" and $500,000 from funds previously appropriated in this Act under the heading "Federal Payment for Emergency Personnel Cross Training": Provided, That not to exceed $500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: Provided further, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: Provided further, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved.

PUBLIC EDUCATION SYSTEM

(INCLUDING TRANSFERS OF FUNDS)

Public education system, including the development of national defense education programs, $1,157,841,000 (including $962,941,000 from local funds, $156,708,000 from Federal grant funds, $27,074,000 from other funds, $4,302,000 from private funds, and not to exceed $6,816,000, to remain available until expended, from the Medicaid and Special Education Reform Fund established pursuant to the Medicaid and Special Education Reform Fund Establishment Act of 2002 (D.C. Law 14–190; D.C. Official Code 4–204.51 et seq.)), in addition, $17,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Resident Tuition Support", $4,500,000 from funds previously appropriated in this Act under the heading "Federal Payment for Public School Facilities", and $26,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for School Improvement in the District of Columbia" to be allocated as follows:

(1) DISTRICT OF COLUMBIA PUBLIC SCHOOLS.—$870,135,000 (including $738,444,000 from local funds, $114,749,000 from Federal grant funds, $6,527,000 from other funds, $3,599,000 from private funds, and not to exceed $6,816,000, to remain available until expended, from the Medicaid and Special Education Reform Fund established pursuant to the Medicaid and Special Education Reform Fund Establishment Act of 2002 (D.C. Law 14–190; D.C. Official Code 4–204.51 et seq.)), in addition, $4,500,000 from funds previously appropriated in this Act under the heading "Federal Payment for Public School Facilities" and $13,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for School Improvement in the District of Columbia" shall be available for

District of Columbia Public Schools: Provided, That notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes: Provided further, That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary or secondary school during fiscal year 2004 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia that are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2004, an amount equal to 10 percent of the total amount provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2005 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2005: Provided further, That not to exceed $2,500 for the Superintendent of Schools shall be available from this appropriation for official reception and representation expenses: Provided further, That the District of Columbia Public Schools shall submit to the Board of Education by January 1 and July 1 of each year a Schedule A showing all the current funded positions of the District of Columbia Public Schools, their compensation levels, and indicating whether the positions are encumbered: Provided further, That the Board of Education shall approve or disapprove each Schedule A within 30 days of its submission and provide the Council of the District of Columbia a copy of the Schedule A upon its approval.

(2) STATE EDUCATION OFFICE.—$38,752,000 (including $9,959,000 from local funds, $28,617,000 from Federal grant funds, and $176,000 from other funds), in addition, $17,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Resident Tuition Support" and $13,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for School Improvement in the District of Columbia" shall be available for the State Education Office: Provided, That of the amounts provided to the State Education Office, $500,000 from local funds shall remain available until June 30, 2005 for an audit of the student enrollment of each District of Columbia Public School and of each District of Columbia public charter school.

(3) DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOLS.—$137,531,000 from local funds shall be available for District of Columbia public charter schools: Provided, That there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of the fiscal year: Provided further, That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation

through the per pupil funding formula, the funds shall be available as follows: (A) the first $3,000,000 shall be deposited in the Credit Enhancement Revolving Fund established pursuant to section 603(e) of the Student Loan Marketing Association Reorganization Act of 1996 (Public Law 104–208; 110 Stat. 3009; 20 U.S.C. 1155(e)); and (B) the balance shall be for public education in accordance with section 2403(b)(2) of the District of Columbia School Reform Act of 1995 (D.C. Official Code, sec. 38–1804.03(b)(2)): Provided further, That of the amounts made available to District of Columbia public charter schools, $25,000 shall be made available to the Office of the Chief Financial Officer as authorized by section 2403(b)(6) of the District of Columbia School Reform Act of 1995 (D.C. Official Code, sec. 38–1804.03(b)(6)): Provided further, That $660,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2004, an amount equal to 25 percent of the total amount provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2005 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2005.

(4) UNIVERSITY OF THE DISTRICT OF COLUMBIA.—$80,660,000 (including $48,656,000 from local funds, $11,867,000 from Federal grant funds, $19,434,000 from other funds, and $703,000 from private funds) shall be available for the University of the District of Columbia: Provided, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2004, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the University of the District of Columbia on July 1, 2004, an amount equal to 10 percent of the total amount provided for the University of the District of Columbia in the proposed budget of the District of Columbia for fiscal year 2005 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the University of the District of Columbia under the District of Columbia Appropriations Act, 2005: Provided further, That not to exceed $2,500 for the President of the University of the District of Columbia shall be available from this appropriation for official reception and representation expenses.

(5) DISTRICT OF COLUMBIA PUBLIC LIBRARIES.—$28,287,000 (including $26,750,000 from local funds, $1,000,000 from Federal grant funds, and $537,000 from other funds) shall be

available for the District of Columbia Public Libraries: Provided, That not to exceed $2,000 for the Public Librarian shall be available from this appropriation for official reception and representation expenses.

(6) COMMISSION ON THE ARTS AND HUMANITIES.—$2,476,000 (including $1,601,000 from local funds, $475,000 from Federal grant funds, and $400,000 from other funds) shall be available for the Commission on the Arts and Humanities.

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

Human support services, $2,360,067,000 (including $1,030,223,000 from local funds, $1,247,945,000 from Federal grant funds, $24,330,000 from other funds, $9,330,000 from private funds, and $48,239,000, to remain available until expended, from the Medicaid and Special Education Reform Fund established pursuant to the Medicaid and Special Education Reform Fund Establishment Act of 2002 (D.C. Law 14–190; D.C. Official Code 4–204.51 et seq.)), in addition, $7,500,000 from funds previously appropriated in this Act under the heading "Federal Payment for Hospital Bioterrorism Preparedness in the District of Columbia" and $12,900,000 from funds previously appropriated in this Act under the heading "Federal Payment to Foster Care Improvements in the District of Columbia": Provided, That the funds available from the Medicaid and Special Education Reform Fund are allocated as follows: not more than $18,744,000 for Child and Family Services, not more than $7,795,000 for the Department of Human Services, and not more than $21,700,000 for the Department of Mental Health: Provided further, That $27,959,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: Provided further, That $7,500,000 of this appropriation, to remain available until expended, shall be deposited in the Addiction Recovery Fund, established pursuant to section 5 of the Choice in Drug Treatment Act of 2000 (D.C. Law 13–146; D.C. Official Code, sec. 7–3004) and used exclusively for the purpose of the Drug Treatment Choice Program established pursuant to section 4 of the Choice in Drug Treatment Act of 2000 (D.C. Law 13–146; D.C. Official Code, sec. 7–3003): Provided further, That no less than $2,000,000 of this appropriation shall be available exclusively for the purpose of funding the pilot substance abuse program for youth ages 14 through 21 years established pursuant to section 4212 of the Pilot Substance Abuse Program for Youth Act of 2001 (D.C. Law 14–28; D.C. Official Code, sec. 7–3101): Provided further, That $4,500,000 of this appropriation, to remain available until expended, shall be deposited in the Interim Disability Assistance Fund established pursuant to section 201 of the District of Columbia Public Assistance Act of 1982 (D.C. Law 4–101; D.C. Official Code, sec. 4–202.01), to be used exclusively for the Interim Disability Assistance program and the purposes for that program set forth in section 407 of the District of Columbia Public Assistance Act of 1982 (D.C. Law 13–252; D.C. Official Code, sec. 4–204.07): Provided further, That not less than $640,531 of this appropriation shall be available exclusively for the purpose of funding the Burial Assistance Program established by section 1802 of

the Burial Assistance Program Reestablishment Act of 1999 (D.C. Law 13–38; D.C. Official Code, sec. 4–1001).

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $327,046,000 (including $308,028,000 from local funds, $5,274,000 from Federal grant funds, and $13,744,000 from other funds), in addition, $3,500,000 from funds previously appropriated in this Act under the heading "Federal Payment for Transportation Assistance": Provided, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

CASH RESERVE

For the cumulative cash reserve established pursuant to section 202(j)(2) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (D.C. Official Code, sec. 47–392.02(j)(2)), $50,000,000 from local funds.

EMERGENCY AND CONTINGENCY RESERVE FUNDS

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

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (D.C. Official Code, secs. 1–204.62, 1–204.75, and 1–204.90), $311,504,000 from local funds: Provided, That for equipment leases, the Mayor may finance $14,300,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years.

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, $3,000,000 from local funds.

CERTIFICATES OF PARTICIPATION

For principal and interest payments on the District's Certificates of Participation, issued to finance the ground lease underlying the building located at One Judiciary Square, $4,911,000 from local funds.

SETTLEMENTS AND JUDGMENTS

For making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia

government, $22,522,000 from local funds: Provided, That this appropriation shall not be construed as modifying or affecting the provisions of section 103 of this Act.

WILSON BUILDING

For expenses associated with the John A. Wilson building, $3,704,000 from local funds.

WORKFORCE INVESTMENTS

For workforce investments, $22,308,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable.

NON-DEPARTMENTAL AGENCY

To account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget, $19,639,000 (including $11,455,000 from local funds and $8,184,000 from other funds) to be transferred by the Mayor of the District of Columbia within the various appropriations headings in this Act: Provided, That $11,455,000 from local funds shall be for anticipated costs associated with the No Child Left Behind Act.

PAY-AS-YOU-GO CAPITAL

For Pay-As-You-Go Capital funds in lieu of capital financing, $11,267,000 from local funds, to be transferred to the Capital Fund, subject to the Criteria for Spending Pay-as-You-Go Funding Amendment Act of 2003 (D.C. Act 15–106): Provided, That pursuant to this Act, there are authorized to be transferred from Pay-As-You-Go Capital funds to other headings of this Act, such sums as may be necessary to carry out the purposes of this Act.

TAX INCREMENT FINANCING PROGRAM

For a Tax Increment Financing Program, $1,940,000 from local funds.

MEDICAID DISALLOWANCE

For making refunds associated with disallowed Medicaid funding, an amount not to exceed $57,000,000 in local funds, to remain available until expended: Provided, That funds are derived from a transfer from the funds identified in the fiscal year 2002 comprehensive annual financial report as the District of Columbia's Grants Disallowance balance.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

For operation of the Water and Sewer Authority, $259,095,000 from other funds, of which $18,692,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects and payable to the District's debt service fund.

For construction projects, $229,807,000, to be distributed as follows: $99,449,000 for the Blue Plains Wastewater Treatment Plant, $16,739,000 for the sewer program, $72,047,000 for the combined sewer program, $5,993,000 for the stormwater program, $24,431,000 for the water program, and $11,148,000 for the capital equipment program; in addition, $30,000,000 from funds previously appropriated in this Act under the heading "Federal Payment to the District of Columbia Water and Sewer Authority": Provided, That the requirements and restrictions that are applicable to general fund capital improvement projects and set forth in this Act under the Capital Outlay appropriation account shall apply to projects approved under this appropriation account.

WASHINGTON AQUEDUCT

For operation of the Washington Aqueduct, $55,553,000 from other funds.

STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

For operation of the Stormwater Permit Compliance Enterprise Fund, $3,501,000 from other funds.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act, 1982, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3–172; D.C. Official Code, sec. 3–1301 et seq. and sec. 22–1716 et seq.), $242,755,000 from other funds: Provided, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, $13,979,000 from local funds.

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established pursuant to section 121 of the District of Columbia Retirement Reform Act of 1979 (D.C. Official Code, sec. 1–711), $13,895,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: Provided, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: Provided further, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the

actual use of such funds in time for each annual audited financial report.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, $69,742,000 from other funds.

NATIONAL CAPITAL REVITALIZATION CORPORATION

For the National Capital Revitalization Corporation, $7,849,000 from other funds.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of $1,004,796,000, of which $601,708,000 shall be from local funds, $46,014,000 from Highway Trust funds, $38,311,000 from the Rights-of-way funds, $218,880,000 from Federal grant funds, and a rescission of $99,884,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of $904,913,000, to remain available until expended; in addition, $8,150,000 from funds previously appropriated in this Act under the heading "Federal Payment for Capital Development in the District of Columbia" and $5,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for the Anacostia Waterfront Initiative": Provided, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: Provided further, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended.

TITLE III—DC SCHOOL CHOICE INCENTIVE ACT OF 2003

SEC. 301. SHORT TITLE.

This title may be cited as the "DC School Choice Incentive Act of 2003".

SEC. 302. FINDINGS.

The Congress finds the following:

(1) Parents are best equipped to make decisions for their children, including the educational setting that will best serve the interests and educational needs of their child.

(2) For many parents in the District of Columbia, public school choice provided for under the No Child Left Behind Act of 2001 as well as under other public school choice programs, is inadequate due to capacity constraints. Available educational alternatives to the public schools are insufficient and more educational options are needed. In particular, funds are needed to assist low-income parents to exercise choice among enhanced public opportunities and private educational environments, whether religious or nonreligious. Therefore, in keeping with the spirit of the No Child Left Behind Act of 2001, school choice options, in addition to those already available to parents in the District of Columbia (such as magnet and charter schools and

open enrollment schools) should be made available to those parents.

(3) In the most recent mathematics assessment on the National Assessment of Educational Progress (NAEP), administered in 2000, a lower percentage of 4th-grade students in the District of Columbia demonstrated proficiency than was the case for any State. Seventy-six percent of the District of Columbia fourth-graders scored at the "below basic" level and of the 8th-grade students in the District of Columbia, only 6 percent of the students tested at the proficient or advanced levels, and 77 percent were below basic. In the most recent NAEP reading assessment, in 1998, only 10 percent of the District of Columbia fourth-graders could read proficiently, while 72 percent were below basic. At the 8th-grade level, 12 percent were proficient or advanced and 56 percent were below basic.

(4) A program enacted for the valid secular purpose of providing educational assistance to low-income children in a demonstrably failing public school system is constitutional under Zelman v. Simmons-Harris, 536 U.S. 639 (2002), if it is neutral with respect to religion and provides assistance to a broad class of citizens who direct government aid to religious and secular schools solely as a result of their genuine and independent private choices.

(5) The Mayor of the District of Columbia, the Chairman of the Education Committee of the City Council of the District of Columbia, and the President of the District of Columbia Board of Education support this title.

(6) This title provides additional money for the District of Columbia public schools and therefore money for scholarships is not being taken out of money that would otherwise go to the District of Columbia public schools.

(7) This title creates a 5-year program tailored to the current needs and particular circumstances of low-income children in District of Columbia schools. This title does not establish parameters or requirements for other school choice programs.

SEC. 303. PURPOSE.

The purpose of this title is to provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary schools or secondary schools identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), with expanded opportunities for enrolling their children in higher-performing schools in the District of Columbia.

SEC. 304. GENERAL AUTHORITY.

(a) AUTHORITY.—From funds appropriated to carry out this title, the Secretary shall award grants on a competitive basis to eligible entities with approved applications under section 305 to carry out activities to provide eligible students with expanded school choice opportunities. The Secretary may award a single grant or multiple grants, depending on the quality of applications submitted and the priorities of this title.

(b) DURATION OF GRANTS.—The Secretary may make grants under this section for a period of not more than 5 years.

(c) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Mayor of the District of Columbia shall enter into a memorandum of understanding, as described in the statement of the managers, regarding the design of, selection of eligible entities to receive grants under, and implementation of, a program assisted under this title.

SEC. 305. APPLICATIONS.

(a) IN GENERAL.—In order to receive a grant under this title, an eligible entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(b) CONTENTS.—The Secretary may not approve the request of an eligible entity for a grant under this title unless the entity's application includes—

(1) a detailed description of—

(A) how the entity will address the priorities described in section 306;

(B) how the entity will ensure that if more eligible students seek admission in the program than the program can accommodate, eligible students are selected for admission through a random selection process which gives weight to the priorities described in section 306;

(C) how the entity will ensure that if more participating eligible students seek admission to a participating school than the school can accommodate, participating eligible students are selected for admission through a random selection process;

(D) how the entity will notify parents of eligible students of the expanded choice opportunities and how the entity will ensure that parents receive sufficient information about their options to allow the parents to make informed decisions;

(E) the activities that the entity will carry out to provide parents of eligible students with expanded choice opportunities through the awarding of scholarships under section 307(a);

(F) how the entity will determine the amount that will be provided to parents for the tuition, fees, and transportation expenses, if any;

(G) how the entity will seek out private elementary schools and secondary schools in the District of Columbia to participate in the program, and will ensure that participating schools will meet the applicable requirements of this title and provide the information needed for the entity to meet the reporting requirements of this title;

(H) how the entity will ensure that participating schools are financially responsible and will use the funds received under this title effectively;

(I) how the entity will address the renewal of scholarships to participating eligible students, including continued eligibility; and

(J) how the entity will ensure that a majority of its voting board members or governing organization are residents of the District of Columbia; and

(2) an assurance that the entity will comply with all requests regarding any evaluation carried out under section 309.

SEC. 306. PRIORITIES.

In awarding grants under this title, the Secretary shall give priority to applications from eligible entities who will most effectively—

(1) give priority to eligible students who, in the school year preceding the school year for which the eligible student is seeking a scholarship, attended an elementary school or secondary school identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316);

(2) target resources to students and families that lack the financial resources to take advantage of available educational options; and

(3) provide students and families with the widest range of educational options.

SEC. 307. USE OF FUNDS.

(a) SCHOLARSHIPS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), a grantee shall use the grant funds to provide eligible students with scholarships to pay the tuition, fees, and transportation expenses, if any, to enable them to attend the District of Columbia private elementary school or secondary school of their choice. Each grantee shall ensure that the amount of any tuition or fees charged by a school participating in the grantee's program under this title to an eligible student participating in the program does not exceed the amount of tuition or fees that the school customarily charges to students who do not participate in the program.

(2) PAYMENTS TO PARENTS.—A grantee shall make scholarship payments under the program under this title to the parent of the eligible student participating in the program, in a manner which ensures that such payments will be used for the payment of tuition, fees, and transportation expenses (if any), in accordance with this title.

(3) AMOUNT OF ASSISTANCE.—

(A) VARYING AMOUNTS PERMITTED.—Subject to the other requirements of this section, a grantee may award scholarships in larger amounts to those eligible students with the greatest need.

(B) ANNUAL LIMIT ON AMOUNT.—The amount of assistance provided to any eligible student by a grantee under a program under this title may not exceed $7,500 for any academic year.

(4) CONTINUATION OF SCHOLARSHIPS.—Notwithstanding section 312(3)(B), an eligible entity receiving a grant under this title may award a scholarship, for the second or any succeeding year of an eligible student's participation in a program under this title, to a student who comes from a household whose income does not exceed 200 percent of the poverty line.

(b) ADMINISTRATIVE EXPENSES.—A grantee may use not more than 3 percent of the amount provided under the grant each year for the administrative expenses of carrying out its program under this title during the year, including—

(1) determining the eligibility of students to participate;

(2) providing information about the program and the schools involved to parents of eligible students;

(3) selecting students to receive scholarships;

(4) determining the amount of scholarships and issuing the scholarships to eligible students;

(5) compiling and maintaining financial and programmatic records; and

(6) providing funds to assist parents in meeting expenses that might otherwise preclude the participation of their child in the program.

SEC. 308. NONDISCRIMINATION.

(a) IN GENERAL.—An eligible entity or a school participating in any program under this title shall not discriminate against program participants or applicants on the basis of race, color, national origin, religion, or sex.

(b) APPLICABILITY AND SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the prohibition of sex discrimination in subsection (a) shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of subsection (a) is inconsistent with the religious tenets or beliefs of the school.

(2) SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.—Notwithstanding subsection (a) or any other provision of law, a parent may choose and a school may offer a single sex school, class, or activity.

(3) APPLICABILITY.—For purposes of this title, the provisions of section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) shall apply to this title as if section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) were part of this title.

(c) CHILDREN WITH DISABILITIES.—Nothing in this title may be construed to alter or modify the provisions of the Individuals with Disabilities Education Act.

(d) RELIGIOUSLY AFFILIATED SCHOOLS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a school participating in any program under this title that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1 et seq.), including the exemptions in such title.

(2) MAINTENANCE OF PURPOSE.—Notwithstanding any other provision of law, funds made available under this title to eligible students that are received by a participating school, as a result of their parents' choice, shall not, consistent with the first amendment of the United States Constitution, necessitate any change in the participating school's teaching mission, require any participating school to remove religious art, icons, scriptures, or other symbols, or preclude any participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

(e) RULE OF CONSTRUCTION.—A scholarship (or any other form of support provided to parents of eligible students) under this title shall be considered assistance to the student and shall not be considered assistance to the school that enrolls the eligible student. The amount of any scholarship (or other form of support provided to parents of an eligible student) under this title shall not be treated as income of the parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

SEC. 309. EVALUATIONS.

(a) IN GENERAL.—

(1) DUTIES OF THE SECRETARY AND THE MAYOR.—The Secretary and the Mayor of the District of Columbia shall jointly select an independent entity to evaluate annually the performance of students who received scholarships under the 5-year program under this title, and shall make the evaluations public in accordance with subsection (c).

(2) DUTIES OF THE SECRETARY.—The Secretary, through a grant, contract, or cooperative agreement, shall—

(A) ensure that the evaluation is conducted using the strongest possible research design for determining the effectiveness of the programs funded under this title that addresses the issues described in paragraph (4); and

(B) disseminate information on the impact of the programs in increasing the student academic achievement of participating students, and on the impact of the programs on students and schools in the District of Columbia.

(3) DUTIES OF THE INDEPENDENT ENTITY.—The independent entity shall—

(A) measure the academic achievement of all participating eligible students;

(B) use the same grade appropriate measurement every school year to assess participating eligible students as the measurement used by the District of Columbia Public Schools to assess District of Columbia Public School students in the first year of the program; and

(C) work with the eligible entities to ensure that the parents of each student who applies for a scholarship under this title (regardless of whether the student receives the scholarship) and the parents of each student participating in the scholarship program under this title, agree that the student will participate in the measurements given annually by the independent entity for the period for which the student applied for or received the scholarship, respectively.

(4) ISSUES TO BE EVALUATED.—The issues to be evaluated include the following:

(A) A comparison of the academic achievement of participating eligible students in the measurements described in this section to the achievement of—

(i) students in the same grades in the District of Columbia public schools; and

(ii) the eligible students in the same grades in the District of Columbia public schools who sought to participate in the scholarship program but were not selected.

(B) The success of the programs in expanding choice options for parents.

(C) The reasons parents choose for their children to participate in the programs.

(D) A comparison of the retention rates, dropout rates, and (if appropriate) graduation and college admission rates, of students who participate in the programs funded under this title with the retention rates, dropout rates, and (if appropriate) graduation and college admission rates of students of similar backgrounds who do not participate in such programs.

(E) The impact of the program on students, and public elementary schools and secondary schools, in the District of Columbia.

(F) A comparison of the safety of the schools attended by students who participate in the programs and the schools attended by students who do not participate in the programs.

(G) Such other issues as the Secretary considers appropriate for inclusion in the evaluation.

(5) PROHIBITION.—Personally identifiable information regarding the results of the measurements used for the evaluations may not be disclosed, except to the parents of the student to whom the information relates.

(b) REPORTS.—The Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Governmental Affairs of the Senate—

(1) annual interim reports, not later than December 1 of each year for which a grant is made under this title, on the progress and preliminary results of the evaluation of the programs funded under this title; and

(2) a final report, not later than 1 year after the final year for which a grant is made under this title, on the results of the evaluation of the programs funded under this title.

(c) PUBLIC AVAILABILITY.—All reports and underlying data gathered pursuant to this section shall be made available to the public upon request, in a timely manner following submission of the applicable report under subsection (b), except that personally identifiable information shall not be disclosed or made available to the public.

(d) LIMIT ON AMOUNT EXPENDED.—The amount expended by the Secretary to carry out this section for any fiscal year may not exceed 3 percent of the total amount appropriated to carry out this title for the fiscal year.

SEC. 310. REPORTING REQUIREMENTS.

(a) ACTIVITIES REPORTS.—Each grantee receiving funds under this title during a year shall submit a report to the Secretary not later than July 30 of the following year regarding the activities carried out with the funds during the preceding year.

(b) ACHIEVEMENT REPORTS.—

(1) IN GENERAL.—In addition to the reports required under subsection (a), each grantee shall, not later than September 1 of the year during which the second academic year of the grant-

ee's program is completed and each of the next 2 years thereafter, submit a report to the Secretary regarding the data collected in the previous 2 academic years concerning—

(A) the academic achievement of students participating in the program;

(B) the graduation and college admission rates of students who participate in the program, where appropriate; and

(C) parental satisfaction with the program.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information.

(c) REPORTS TO PARENT.—

(1) IN GENERAL.—Each grantee shall ensure that each school participating in the grantee's program under this title during a year reports at least once during the year to the parents of each of the school's students who are participating in the program on—

(A) the student's academic achievement, as measured by a comparison with the aggregate academic achievement of other participating students at the student's school in the same grade or level, as appropriate, and the aggregate academic achievement of the student's peers at the student's school in the same grade or level, as appropriate; and

(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

(d) REPORT TO CONGRESS.—The Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Governmental Affairs of the Senate an annual report on the findings of the reports submitted under subsections (a) and (b).

SEC. 311. OTHER REQUIREMENTS FOR PARTICIPATING SCHOOLS.

(a) REQUESTS FOR DATA AND INFORMATION.—Each school participating in a program funded under this title shall comply with all requests for data and information regarding evaluations conducted under section 309(a).

(b) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A participating school, including those described in section 308(d), may require eligible students to abide by any rules of conduct and other requirements applicable to all other students at the school.

SEC. 312. DEFINITIONS.

As used in this title:

(1) ELEMENTARY SCHOOL.—The term "elementary school" means an institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under District of Columbia law.

(2) ELIGIBLE ENTITY.—The term "eligible entity" means any of the following:

(A) An educational entity of the District of Columbia Government.

(B) A nonprofit organization.

(C) A consortium of nonprofit organizations.

(3) ELIGIBLE STUDENT.—The term "eligible student" means a student who—

(A) is a resident of the District of Columbia; and

(B) comes from a household whose income does not exceed 185 percent of the poverty line.

(4) PARENT.—The term "parent" has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) POVERTY LINE.—The term "poverty line" has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) SECONDARY SCHOOL.—The term "secondary school" means an institutional day or residential school, including a public secondary charter school, as determined under District of Columbia law, except that the term does not include any education beyond grade 12.

(7) SECRETARY.—The term "Secretary" means the Secretary of Education.

SEC. 313. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $14,000,000 for fiscal year 2004 and such sums as may be necessary for each of the 4 succeeding fiscal years.

TITLE IV—GENERAL PROVISIONS

SEC. 401. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 402. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: Provided, That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

SEC. 403. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government: Provided, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Official Code, sec. 47–1812.11(c)(3)).

SEC. 404. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly to provided herein.

SEC. 405. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan po-

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

SEC. 406. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, and salary are not available for inspection by the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 407. (a) Except as provided in subsection (b), no part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

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

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

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

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

SEC. 408. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2004, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

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

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

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

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

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

(b) None the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are notified in writing 30 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed 4 percent of the local funds in the appropriations.

SEC. 409. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 410. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139; D.C. Official Code, sec. 1–601.01 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204l.22(3)), shall apply with respect to the compensation of District of Columbia employees: Provided, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

SEC. 411. No later than 30 days after the end of the first quarter of fiscal year 2004, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2004 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2005. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 412. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Official Code, sec. 2–303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical, but only if the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

SEC. 413. (a) In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: Provided, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.

(b) For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, the term "program, project, and activity" shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: Provided, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 414. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses,

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

SEC. 415. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 416. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, sec. 32–701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 417. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b)(1) No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to subsection (a) until—

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

(B) the Council has reviewed and approved the acceptance, obligation, and expenditure of such grant.

(2) For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the acceptance, obligation, and expenditure of a grant if—

(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A).

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

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

SEC. 418. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Colum-

bia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

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

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

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

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

(b) The Chief Financial Officer of the District of Columbia shall submit by March 1, 2004, an inventory, as of September 30, 2003, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 419. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2004 unless—

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

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

SEC. 420. (a) None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

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

SEC. 421. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection

(a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 422. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted. The Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and Senate by the 10th day after the end of each quarter a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 423. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

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

SEC. 424. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 425. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate quarterly reports addressing—

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

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

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

(4) education, including access to special education services and student achievement to be provided in consultation with

the District of Columbia Public Schools and the District of Columbia public charter schools;

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

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

(7) indicators of child well-being.

SEC. 426. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2003 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

SEC. 427. None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93–030–(PA) and 93–031–(PA).

SEC. 428. None of the Federal funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 429. During fiscal year 2004 and any subsequent fiscal year, in addition to any other authority to pay claims and judgments, any department, agency, or instrumentality of the District government may use local funds to pay the settlement or judgment of a claim or lawsuit in an amount less than $10,000, in accordance with the Risk Management for Settlements and Judgments Amendment Act of 2000 (D.C. Law 13–172; D.C. Official Code, sec. 2–402).

SEC. 430. Notwithstanding any other law, the District of Columbia Courts shall transfer to the general treasury of the District of Columbia all fines levied and collected by the Courts under section 10(b)(1) and (2) of the District of Columbia Traffic Act (D.C. Official Code, sec. 50–2201.05(b)(1) and (2)). The transferred funds shall remain available until expended and shall be used by the Office of the Corporation Counsel for enforcement and prosecution of District traffic alcohol laws in accordance with section 10(b)(3) of the District of Columbia Traffic Act (D.C. Official Code, sec. 50–2201.05(b)(3)).

SEC. 431. During fiscal year 2004 and any subsequent fiscal year, any agency of the District government may transfer to the Office of Labor Relations and Collective Bargaining (OLRCB) such local funds as may be necessary to pay for representation by OLRCB in third-party cases, grievances, and dispute resolution, pursuant to an intra-District agreement with OLRCB. These amounts shall be

available for use by OLRCB to reimburse the cost of providing the representation.

SEC. 432. None of the funds contained in this Act may be made available to pay—

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

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

SEC. 433. The Chief Financial Officer of the District of Columbia shall require attorneys in special education cases brought under the Individuals with Disabilities Act (IDEA) in the District of Columbia to certify in writing that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under the IDEA from the District of Columbia: Provided, That as part of the certification, the Chief Financial Officer of the District of Columbia shall require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients as part of this certification: Provided further, That the Chief Financial Officer shall prepare and submit quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA: Provided further, That the Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

SEC. 434. Section 603(e)(3)(C)(iv) of the Student Loan Marketing Association Reorganization Act of 1996 (20 U.S.C. 1155(e)(3)(C)(iv)) is amended as follows:

(1) by inserting "for a fiscal year" after "this subparagraph"; and

(2) by inserting "for the fiscal year" before the period.

SEC. 435. Chapter 3 of title 16, District of Columbia Code, is amended by inserting at the end the following new section:

"SEC. 16–316. APPOINTMENT AND COMPENSATION OF COUNSEL; GUARDIAN AD LITEM.

"(a) When a petition for adoption has been filed and there has been no termination or relinquishment of parental rights with respect to the proposed adoptee or consent to the proposed adoption by a parent or guardian whose consent is required under D.C. Code section 16–304, the Court may appoint an attorney to represent such parent or guardian in the adoption proceeding if the individual is financially unable to obtain adequate representation.

"(b) The Court may appoint a guardian ad litem who is an attorney to represent the child in an adoption proceeding. The guardian ad litem shall in general be charged with the representation of the child's best interest.

"(c) An attorney appointed pursuant to subsection (a) or (b) of this section shall be compensated in accordance with D.C. Code section 16–2326.01, except that compensation in the adoption case shall be subject to the limitation set forth in D.C. Code section 16–2326.01(b)(2)."

The table of sections for chapter 3 of title 16, District of Columbia Code, is amended by inserting at the end the following new item:

"Sec. 16–316. Appointment and compensation of counsel; guardian ad litem.".

SEC. 436. The amount appropriated by this Act may be increased by no more than $15,000,000 from funds identified in the comprehensive annual financial report as the District's fiscal year 2003 unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, and economic vitality.

(2) The District of Columbia may only use these funds for the following expenditures:

(A) Unanticipated one-time expenditures;
(B) To avoid deficit spending;
(C) Debt Reduction;
(D) Unanticipated program needs; or
(E) To avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

(5) The amounts may be obligated and expended only if approved by the Committees on Appropriations of the House of Representatives and Senate in advance of any obligation or expenditure.

This division may be cited as the "District of Columbia Appropriations Act, 2004".

DIVISION D—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2004

AN ACT

Making appropriations for foreign opeations, export financing, and related programs for the fiscal year ending September 30, 2004, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: Provided further, That notwithstanding section 1(c) of Public Law 103–428, as amended, sections 1(a) and (b) of Public Law 103–428 shall remain in effect through October 1, 2004.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, $72,895,000: Provided, That the Export-Import Bank may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: Provided further, That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2004.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $41,385,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $24,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Non-Credit Account: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2004 and 2005: Provided further, That such sums shall remain available through fiscal year 2012 for the disbursement of direct and guaranteed loans obligated in fiscal year 2004, and through fiscal year 2013 for the disbursement of direct and guaranteed loans obligated in fiscal year 2005.

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

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $50,000,000, to remain available until September 30, 2005.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2004, unless otherwise specified herein, as follows:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for child survival, health, and family planning/reproductive health activities, in addition to funds otherwise available for such purposes, $1,835,000,000, to remain available until September 30, 2005: Provided, That this amount shall be made available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases, and for assistance to communities severely affected by HIV/AIDS, including children displaced or orphaned by AIDS; and (6) family planning/reproductive health: Provided fur-

ther, That none of the funds appropriated under this heading may be made available for nonproject assistance, except that funds may be made available for such assistance for ongoing health activities: Provided further, That of the funds appropriated under this heading, not to exceed $250,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of child survival, maternal and family planning/reproductive health, and infectious disease programs: Provided further, That the following amounts should be allocated as follows: $330,000,000 for child survival and maternal health; $28,000,000 for vulnerable children; $516,500,000 for HIV/AIDS including not less than $22,000,000 which should be made available to support the development of microbicides as a means for combating HIV/AIDS; $185,000,000 for other infectious diseases; and $375,500,000 for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species: Provided further, That of the funds appropriated under this heading, and in addition to funds allocated under the previous proviso, not less than $400,000,000 shall be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 1701 et seq.) as amended by section 595 of this Act, for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (the "Global Fund"), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That of the funds appropriated under this heading that are available for HIV/AIDS programs and activities, not less than $26,000,000 should be made available for the International AIDS Vaccine Initiative and not less than $26,000,000 should be made available for a United States contribution to UNAIDS: Provided further, That of the funds appropriated under this heading, $60,000,000 should be made available for a United States contribution to The Vaccine Fund, and up to $6,000,000 may be transferred to and merged with funds appropriated by this Act under the heading "Operating Expenses of the United States Agency for International Development" for costs directly related to international health, but funds made available for such costs may not be derived from amounts made available for contribution under this and preceding provisos: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion: Provided further, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral

agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That to the maximum extent feasible, taking into consideration cost, timely availability, and best health practices, funds appropriated in this Act or prior appropriations Acts that are made available for condom procurement shall be made available only for the procurement of condoms manufactured in the United States: Provided further, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

DEVELOPMENT ASSISTANCE

For necessary expenses of the United States Agency for International Development to carry out the provisions of sections 103, 105, 106, and 131, and chapter 10 of part I of the Foreign Assistance Act of 1961, $1,385,000,000, of which up to $150,000,000 may remain available until September 30, 2005: Provided, That none of the funds appropriated under title II of this Act that are managed by or allocated to the United States Agency for International Development's Global Development Secretariat, may be made available except through the regular notification procedures of the Committees on Appropriations: Provided further, That $190,000,000 should be allocated for trade capacity building: Provided further, That $235,000,000 should be allocated for basic education: Provided further, That of the funds appropriated under this heading and managed by the United States Agency for International Development Bureau of Democracy, Conflict, and Humanitarian Assistance, not less than $11,000,000 shall be made available only for programs to improve women's leadership capacity in recipient countries: Provided further, That such funds may not be made available for construction: Provided further, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed $32,500, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: Provided further, That of the aggregate amount of the funds appropriated by this Act that are made available for agriculture and rural development programs, $25,000,000 should be made available for plant biotechnology research and development: Provided further, That not less than $2,300,000 should be made available for core support for the International Fertilizer Development Center: Provided further, That of the funds appropriated under this heading, not less than $19,000,000 should be made available for the American Schools and Hospitals Abroad program: Provided further, That of the funds appropriated under this heading, not less than $10,000,000, in addition to other funds available under this heading for assistance for Mexico, should be made available for programs and activities in rural Mexico to promote microfinance, small business development, energy and environmental conservation, and private property ownership in rural communities, and to support small farmers who have been affected by adverse economic conditions: Provided further, That funds made available pursuant to the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated by this Act, $100,000,000 shall be made available for drinking water supply projects and related activities.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For necessary expenses of the United States Agency for International Development to carry out the provisions of section 491 of the Foreign Assistance Act of 1961, as amended for international disaster relief, rehabilitation, and reconstruction assistance, $235,500,000, to remain available until expended.

In addition, for necessary expenses for assistance for famine prevention and relief, including for mitigation of the effects of fam-

ine, $20,000,000, to remain available until expended: Provided, That such funds shall be made available utilizing the general authorities of section 491 of the Foreign Assistance Act of 1961, and shall be in addition to amounts otherwise available for such purposes: Provided further, That funds appropriated by this paragraph shall be available for obligation subject to prior consultation with the Committees on Appropriations.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, $55,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: Provided further, That if the President determines that is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: Provided further, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 108 and 635 of the Foreign Assistance Act of 1961, funds may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading "Assistance for Eastern Europe and the Baltic States": Provided, That such funds shall not exceed $21,000,000, which shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of the Act: Provided further, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, $8,000,000, which may be transferred to and merged with the appropriation for Operating Expenses of the United States Agency for International Development: Provided, That funds made

available under this heading shall remain available until September 30, 2007.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the "Foreign Service Retirement and Disability Fund", as authorized by the Foreign Service Act of 1980, $43,859,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $604,100,000, of which up to $25,000,000 may remain available until September 30, 2005: Provided, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" may be made available to finance the construction (including architect and engineering services), purchase, or long term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: Provided further, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long term lease of offices does not exceed $1,000,000: Provided further, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through fiscal year 2005: Provided further, That in addition not to exceed $15,000,000 shall be derived by transfer from the "Iraq Relief and Reconstruction Fund" (Public Law 108–11) to support the United States Agency for International Development mission in Iraq: Provided further, That none of the funds in this Act may be used to open a new overseas mission of the United States Agency for International Development without the prior written notification of the Committees on Appropriations: Provided further, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to "Operating Expenses of the United States Agency for International Development" in accordance with the provisions of those sections: Provided further, That during fiscal year 2004, the number of full-time equivalent positions for United States foreign service employees of the United States Agency for International Development for countries in the Latin America and Caribbean region shall not be reduced below the number for such employees for countries in that region as of September 30, 2003, except as provided through the regular notification procedures of the Committees on Appropriations.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information

technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $82,200,000, to remain available until expended: Provided, That this amount is in addition to funds otherwise available for such purposes: Provided further, That the Administrator of the United States Agency for International Development shall assess fair and reasonable rental payments for the use of space by employees of other United States Government agencies in buildings constructed using funds appropriated under this heading, and such rental payments shall be deposited into this account as an offsetting collection: Provided further, That the rental payments collected pursuant to the previous proviso and deposited as an offsetting collection shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations: Provided further, That the assignment of United States Government employees or contractors to space in buildings constructed using funds appropriated under this heading shall be subject to the concurrence of the Administrator of the United States Agency for International Development: Provided further, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations.

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

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $35,000,000, to remain available until September 30, 2005, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapter 4 of part II, $2,132,500,000, to remain available until September 30, 2005: Provided, That of the funds appropriated under this heading, not less than $480,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act: Provided further, That not less than $575,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years, and of which not less than $200,000,000 shall be provided as Commodity Import Program assistance: Provided further, That in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to such country and that Israel enters into a side letter agreement in an amount proportional to the fiscal year 1999 agreement: Provided further, That of the funds appropriated under this heading, not less than $250,000,000

should be made available only for assistance for Jordan: Provided further, That of the funds appropriated under this heading, up to $1,000,000 should be used to further legal reforms in the West Bank and Gaza, including judicial training on commercial disputes and ethics: Provided further, That funds appropriated under this heading shall be made available for administrative costs of the United States Agency for International Development to implement regional programs in Asia and the Near East, including the Middle East Partnership Initiative, in addition to amounts otherwise available for such purposes: Provided further, That $13,500,000 of the funds appropriated under this heading shall be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicommunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: Provided further, That $35,000,000 of the funds appropriated under this heading shall be made available for assistance for Lebanon, of which not less than $4,000,000 should be made available for American educational institutions for scholarships and other programs: Provided further, That notwithstanding section 534(a) of this Act, funds appropriated under this heading that are made available for assistance for the Central Government of Lebanon shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this heading, not less than $22,500,000 shall be made available for assistance for the Democratic Republic of Timor-Leste, of which up to $1,000,000 may be available for administrative expenses of the United States Agency for International Development: Provided further, That of the funds appropriated under this heading, not less than $1,500,000 should be made available for technical assistance for countries to implement and enforce the Kimberley Process Certification Scheme: Provided further, That funds appropriated under this heading should be made available to support the development of justice and reconciliation mechanisms in the Democratic Republic of the Congo, Rwanda, Burundi, and Uganda, including programs to improve local capacity to prevent and respond to gender-based violence: Provided further, That funds appropriated under this heading may be used, notwithstanding any other provision of law, to provide assistance to the National Democratic Alliance of Sudan to strengthen its ability to protect civilians from attacks, slave raids, and aerial bombardment by the Sudanese Government forces and its militia allies, and the provision of such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That in the previous proviso, the term "assistance" includes non-lethal, non-food aid such as blankets, medicine, fuel, mobile clinics, water drilling equipment, communications equipment to notify civilians of aerial bombardment, non-military vehicles, tents, and shoes: Provided further, That of the funds appropriated under this heading, not less than $1,750,000 should be made available for East Asia and Pacific Environment Initiatives: Provided further, That of the funds appropriated under this heading, $5,000,000 shall be made available to continue to support the provision of wheelchairs for needy persons in developing countries: Provided further, That funds appropriated under this heading that are made available for a Middle East Fi-

nancing Facility, Middle East Enterprise Fund, or any other similar entity in the Middle East shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That with respect to funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, the responsibility for policy decisions and justifications for the use of such funds, including whether there will be a program for a country that uses those funds and the amount of each such program, shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated: Provided further, That of the funds appropriated in Public Law 108–106 under the heading "Iraq Relief and Reconstruction Fund", up to $100,000,000 may be transferred to and consolidated with funds appropriated by this Act under this heading and made available for Turkey, and up to $30,000,000 may be transferred to and consolidated with funds appropriated by this Act under this heading and made available for the Middle East Partnership Initiative: Provided further, That funds appropriated under this heading shall be made available for programs and countries in the amounts contained in the table accompanying the joint explanatory statement of the managers accompanying this Act: Provided further, That any proposed increases or decreases to the amounts contained in such table shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 and notifications shall be transmitted at least 15 days in advance of the obligation of funds.

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $18,500,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415): Provided, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That funds made available under this heading shall remain available until September 30, 2005.

GLOBAL HIV/AIDS INITIATIVE

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $491,000,000, to remain available until expended: Provided, That of the funds appropriated under this heading, $15,000,000 may be apportioned directly to the Peace Corps to remain available until expended for necessary expenses to carry out activities to combat HIV/AIDS, tuberculosis and malaria: Provided further, That of the funds appropriated under this heading, not more than $8,000,000 may be made available for administrative expenses of the office of the "Coordinator of United States Government Activities to Combat HIV/AIDS Globally" of the Department of State: Provided further, That in carrying out the duties specified in section 1(f)(2)(B)(ii)(VII) of the State Department Basic Authorities Act of 1956, the Coordinator shall ensure that assistance

is provided for activities in not fewer than 15 countries, at least one of which shall not be in Africa or the Caribbean region: Provided further, That of the funds appropriated under this heading, up to $75,000,000 should be made available for the safe and appropriate use of injections and other forms of infection control and prevention, and for blood safety programs.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, $445,000,000, to remain available until September 30, 2005, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States: Provided, That of the funds appropriated under this heading that are made available for assistance for Bulgaria, $2,000,000 should be made available to enhance safety at nuclear power plants: Provided further, That of the funds appropriated under this heading, and under the headings "Assistance for the Independent States of the Former Soviet Union", "Foreign Military Financing Program", and "Economic Support Fund", not less than $53,500,000 shall be made available for programs for the prevention, treatment, and control of, and research on, HIV/AIDS, tuberculosis, and malaria: Provided further, That of the funds appropriated under this heading that are made available for Montenegro, not less than $12,000,000 shall be made available for economic development and environmental programs in the coastal region: Provided further, That of the funds appropriated under this heading, up to $1,000,000 should be made available for a program to promote greater understanding and interaction among youth in Albania, Kosovo, Montenegro and Macedonia: Provided further, That funds appropriated under this heading shall be made available for programs and countries in the amounts contained in the table accompanying the joint explanatory statement of the managers accompanying this Act: Provided further, That any proposed increases or decreases to the amounts contained in such table shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 and notifications shall be transmitted at least 15 days in advance of the obligation of funds.

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

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

(d) The provisions of section 529 of this Act shall apply to funds made available under subsection (c) and to funds appropriated

under this heading: Provided, That notwithstanding any provision of this or any other Act, including provisions in this subsection regarding the application of section 529 of this Act, local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989.

(e) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1–A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between state sponsors of terrorism and terrorist organizations and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, $587,000,000, to remain available until September 30, 2005: Provided, That the provisions of such chapters shall apply to funds appropriated by this paragraph: Provided further, That of the funds made available for the Southern Caucasus region, notwithstanding any other provision of law, funds may be used for confidence-building measures and other activities in furtherance of the peaceful resolution of the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: Provided further, That of the funds appropriated under this heading, $1,500,000 should be available only to meet the health and other assistance needs of victims of trafficking in persons: Provided further, That of the funds appropriated under this heading, $17,500,000 shall be made available solely for assistance for the Russian Far East, of which not less than $3,000,000 shall be made available for programs and activities authorized under section 307 of the FREEDOM Support Act (Public Law 102–511): Provided further, That $4,000,000 shall be made available to promote freedom of the media and an independent media in Russia: Provided further, That of the funds appropriated under this heading, up to $500,000 should be made available to support democracy building programs in Russia through the Sakharov Archives: Provided further, That, notwithstanding any other provision of law, funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, that are made available pursuant to the provisions of section 807 of Public Law 102–511 shall be subject to a 6 percent ceiling on administrative expenses.

(b) Of the funds appropriated under this heading that are made available for assistance for Ukraine, not less than $19,000,000 should be made available for nuclear reactor safety initiatives, and

not less than $1,500,000 shall be made available for coal mine safety programs.

(c) Of the funds appropriated under this heading, not less than $94,000,000 shall be made available for assistance for Russia.

(d) Of the funds appropriated under this heading, not less than $75,000,000 shall be made available for assistance for Armenia.

(e) Of the funds appropriated under this heading, not less than $57,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat HIV/AIDS, tuberculosis and other infectious diseases, and for related activities.

(f)(1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation:

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

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

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

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

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

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

(4) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section

401 of the Foreign Assistance Act of 1969, $16,334,000, to remain available until September 30, 2005.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96–533, $18,689,000, to remain available until September 30, 2005: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the board of directors of the Foundation: Provided further, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the $250,000 limitation contained in that section with respect to a project: Provided further, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

PEACE CORPS

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), $310,000,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: Provided, That none of the funds appropriated under this heading shall be used to pay for abortions: Provided further, That funds appropriated under this heading shall remain available until September 30, 2005: Provided further, That during fiscal year 2004 and any subsequent fiscal year, the Director of the Peace Corps may make appointments or assignments, or extend current appointments or assignments, to permit United States citizens to serve for periods in excess of five years in the case of individuals whose appointment or assignment, such as regional safety security officers and employees within the Office of the Inspector General, involves the safety of Peace Corps volunteers: Provided further, That the Director of the Peace Corps may make such appointments or assignments notwithstanding the provisions of section 7 of the Peace Corps Act limiting the length of an appointment or assignment, the circumstances under which such an appointment or assignment may exceed 5 years, and the percentage of appointments or assignments that can be made in excess of 5 years.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses for the "Millennium Challenge Account", $650,000,000, to remain available until expended: Provided, That of the funds appropriated under this heading, not more than $50,000,000 may be available for administrative expenses.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $241,700,000, to remain available until September 30, 2006: Provided, That during fiscal year 2004, the De-

partment of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this heading, $12,000,000 should be made available for anti-trafficking in persons programs, including trafficking prevention, protection and assistance for victims, and prosecution of traffickers: Provided further, That the Secretary of State shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: Provided further, That of the funds appropriated under this heading, $7,105,000 should be made available for the International Law Enforcement Academy in Roswell, New Mexico, of which $2,105,000 should be made available for construction and completion of a new facility: Provided further, That of the funds appropriated under this heading, not more than $26,117,000 may be available for administrative expenses.

ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug activities in the Andean region of South America, $731,000,000, to remain available until September 30, 2006: Provided, That in fiscal year 2004, funds available to the Department of State for assistance to the Government of Colombia shall be available to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: Provided further, That this authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations: Provided further, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of any illegal self-defense group or illegal security cooperative, such helicopter shall be immediately returned to the United States: Provided further, That none of the funds appropriated by this Act may be made available to support a Peruvian air interdiction program until the Secretary of State and Director of Central Intelligence certify to the Congress, 30 days before any resumption of United States involvement in a Peruvian air interdiction program, that an air interdiction program that permits the ability of the Peruvian Air Force to shoot down aircraft will include enhanced safeguards and procedures to prevent the occurrence of any incident similar to the April 20, 2001 incident: Provided further, That the Secretary of State, in consultation with the Administrator of the United States Agency for

International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: Provided further, That of the funds appropriated under this heading, not less than $257,000,000 shall be made available for alternative development/institution building, of which $229,200,000 shall be apportioned directly to the United States Agency for International Development: Provided further, That of the funds appropriated under this heading, not less than $25,000,000 should be made available for justice and rule of law programs in Colombia: Provided further, That of the funds appropriated under this heading, in addition to funds made available pursuant to the previous proviso, not less than $13,000,000 should be made available for organizations and programs to protect human rights: Provided further, That not more than 20 percent of the funds appropriated by this Act that are used for the procurement of chemicals for aerial coca and poppy fumigation programs may be made available for such programs unless the Secretary of State, after consultation with the Administrator of the Environmental Protection Agency (EPA), certifies to the Committees on Appropriations that: (1) the herbicide mixture is being used in accordance with EPA label requirements for comparable use in the United States and any additional controls recommended by the EPA for this program, and with the Colombian Environmental Management Plan for aerial fumigation; and (2) the herbicide mixture, in the manner it is being used, does not pose unreasonable risks or adverse effects to humans or the environment: Provided further, That such funds may not be made available unless the Secretary of State certifies to the Committees on Appropriations that complaints of harm to health or licit crops caused by such fumigation are evaluated and fair compensation is being paid for meritorious claims: Provided further, That such funds may not be made available for such purposes unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation with local communities, to provide alternative sources of income in areas where security permits for small-acreage growers whose illicit crops are targeted for fumigation: Provided further, That of the funds appropriated under this heading, not less than $2,500,000 should be made available for continued training, equipment, and other assistance for the Colombian National Park Service: Provided further, That funds appropriated by this Act may be used for aerial fumigation in Colombia's national parks or reserves if the Secretary of State determines that it is in accordance with Colombian laws and that there are no effective alternatives to reduce drug cultivation in these areas: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: Provided further, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961, as amended, shall be made available subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the provisions of section 3204(b) through (d) of Public Law 106–246, as amended by

Public Law 107–115, shall be applicable to funds appropriated for fiscal year 2004: Provided further, That no United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available by this Act for Colombia: Provided further, That funds appropriated under this heading that are available for assistance for the Bolivian military and police should be made available for such purposes subject to a determination by the Secretary of State, and a report to the Committees on Appropriations, that the Bolivian military and police are respecting human rights and cooperating with investigations and prosecutions of alleged violations of human rights: Provided further, That of the funds appropriated under this heading, not more than $16,285,000 may be available for administrative expenses of the Department of State, and not more than $4,500,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $760,197,000, which shall remain available until expended: Provided, That not more than $21,000,000 may be available for administrative expenses: Provided further, That not less than $50,000,000 of the funds made available under this heading shall be made available for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel: Provided further, That funds appropriated under this heading may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines (and so reports to the appropriate committees of Congress) that the Magen David Adom Society of Israel is not being denied participation in the activities of the International Red Cross and Red Crescent Movement.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $30,000,000, to remain available until expended: Provided, That funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of such Act which would limit the amount of funds which could be appropriated for this purpose.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $353,500,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided, That of this amount not to exceed $30,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: Provided further, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: Provided further, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: Provided further, That funds available during fiscal year 2004 for a contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission and that are not necessary to make the United States contribution to the Commission in the amount assessed for fiscal year 2004 shall be made available for a voluntary contribution to the International Atomic Energy Agency and shall remain available until September 30, 2005: Provided further, That of the funds made available for demining and related activities, not to exceed $690,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program: Provided further, That the Secretary of State is authorized to provide, from funds appropriated under this heading in this and subsequent Acts making appropriations for foreign operations, export financing and related programs, not to exceed $250,000 for public-private partnerships for mine action by grant, cooperative agreement, or contract: Provided further, That funds appropriated under this heading shall be made available for programs and countries in the amounts contained in the table accompanying the joint explanatory statement of the managers accompanying this Act: Provided further, That any proposed increases or decreases to the amounts contained in such table shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 and notifications shall be transmitted at least 15 days in advance of the obligation of funds.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $19,000,000, to remain available until September 30, 2006, which shall be available notwithstanding any other provision of law.

DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961, and of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, and concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100–461), and of canceling amounts owed, as a result of loans or guarantees made pursuant to the Export-Import Bank Act of 1945, by countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113, $95,000,000, to remain available until September 30, 2006: Provided, That not less than $20,000,000 of the funds appropriated under this heading shall be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: Provided further, That $75,000,000 of the funds appropriated under this heading may be used by the Secretary of the Treasury to pay to the Heavily Indebted Poor Countries (HIPC) Trust Fund administered by the International Bank for Reconstruction and Development amounts for the benefit of countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113: Provided further, That amounts paid to the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by—

(1) the Inter-American Development Bank;

(2) the African Development Fund;

(3) the African Development Bank; and

(4) the Central American Bank for Economic Integration:

Provided further, That funds may not be paid to the HIPC Trust Fund for the benefit of any country if the Secretary of State has credible evidence that the government of such country is engaged in a consistent pattern of gross violations of internationally recognized human rights or in military or civil conflict that undermines its ability to develop and implement measures to alleviate poverty and to devote adequate human and financial resources to that end: Provided further, That on the basis of final appropriations, the Secretary of the Treasury shall consult with the Committees on Appropriations concerning which countries and international financial institutions are expected to benefit from a United States contribution

to the HIPC Trust Fund during the fiscal year: Provided further, That the Secretary of the Treasury shall inform the Committees on Appropriations not less than 15 days in advance of the signature of an agreement by the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: Provided further, That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that—

(1) have committed, for a period of 24 months, not to accept new market-rate loans from the international financial institution receiving debt repayment as a result of such disbursement, other than loans made by such institutions to export-oriented commercial projects that generate foreign exchange which are generally referred to as "enclave" loans; and

(2) have documented and demonstrated their commitment to redirect their budgetary resources from international debt repayments to programs to alleviate poverty and promote economic growth that are additional to or expand upon those previously available for such purposes:

Provided further, That any limitation of subsection (e) of section 411 of the Agricultural Trade Development and Assistance Act of 1954 shall not apply to funds appropriated under this heading: Provided further, That none of the funds made available under this heading in this or any other appropriations Act shall be made available for Sudan or Burma unless the Secretary of the Treasury determines and notifies the Committees on Appropriations that a democratically elected government has taken office.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $91,700,000, of which up to $3,000,000 may remain available until expended: Provided, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That funds appropriated under this heading for military education and training for Guatemala may only be available for expanded international military education and training, and funds made available for Algeria, Cambodia, Nigeria and Guatemala may only be provided through the regular notification procedures of the Committees on Appropriations.

FOREIGN MILITARY FINANCING PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $4,294,000,000: Provided, That of the funds appropriated under this heading, not less than $2,160,000,000 shall be available

for grants only for Israel, and not less than $1,300,000,000 shall be made available for grants only for Egypt: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than $568,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That of the funds appropriated by this paragraph, $206,000,000 should be made available for assistance for Jordan: Provided further, That of the funds appropriated by this paragraph, $17,000,000 may be transferred to and merged with funds appropriated under the heading "Andean Counterdrug Initiative" and made available for aircraft and related assistance for the Colombian National Police: Provided further, That funds appropriated by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Sudan, Guatemala and Liberia: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That the authority contained in the previous proviso or any other provision of law relating to the use of funds for programs under this heading, including provisions contained in previously enacted appropriations Acts, shall not apply to activities relating to the clearance of unexploded ordnance resulting from United States Armed Forces testing or training exercises: Provided further, That the previous proviso shall not apply to San Jose Island, Republic of Panama: Provided further, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services:

Provided further, That not more than $40,500,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: Provided further, That not more than $361,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2004 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year 2004 shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $74,900,000: Provided, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, $139,240,000 to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility, by the Secretary of the Treasury, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $913,200,000, to remain available until expended: Provided, That the Secretary of the Treasury shall work to ensure that the World Bank provides for an independent entity, such as a private auditing firm, to conduct and make publicly available an external performance audit which verifies whether the IDA–13 Spring 2004 performance targets have been met: Provided further, That any further incentive contribution for additional contributions for IDA–13 regarding such targets shall be made only after the Secretary of the Treasury has reviewed and considered carefully the findings of any such independent external audit.

CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

For payment to the Multilateral Investment Guarantee Agency by the Secretary of the Treasury, $1,124,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Multilateral Investment Guarantee Agency may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed $4,475,203.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the fund, $25,000,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, $144,421,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, $5,104,930, for the United States paid-in share of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed $79,609,817.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, $112,725,000, to remain available until expended.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, $35,431,111 for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $122,085,497.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury to increase the resources of the International Fund for Ag-

ricultural Development, $15,004,042, to remain available until expended.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, $321,650,000: Provided, That none of the funds appropriated under this heading may be made available to the International Atomic Energy Agency (IAEA): Provided further, That funds appropriated under this heading shall be made available for programs and countries in the amounts contained in the table accompanying the joint explanatory statement of the managers accompanying this Act: Provided further, That any proposed increases or decreases to the amounts contained in such table shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 and notifications shall be transmitted at least 15 days in advance of the obligation of funds.

TITLE V—GENERAL PROVISIONS

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 501. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

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

PRIVATE AND VOLUNTARY ORGANIZATIONS

SEC. 502. None of the funds appropriated or otherwise made available by this Act for development assistance may be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 20 percent of its total annual funding for international activities from sources other than the United States Government: Provided, That the Administrator of the United States Agency for International Development, after informing the Committees on Appropriations, may, on a case-by-case basis, waive the restriction contained in this subsection, after taking into account the effectiveness

of the overseas development activities of the organization, its level of volunteer support, its financial viability and stability, and the degree of its dependence for its financial support on the agency.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed $100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed $5,000 shall be for entertainment expenses of the United States Agency for International Development during the current fiscal year.

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed $125,000 shall be available for representation allowances for the United States Agency for International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: Provided further, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed $2,000 shall be available for entertainment expenses and not to exceed $125,000 shall be available for representation allowances: Provided further, That of the funds made available by this Act under the heading "International Military Education and Training", not to exceed $50,000 shall be available for entertainment allowances: Provided further, That of the funds made available by this Act for the Inter-American Foundation, not to exceed $2,000 shall be available for entertainment and representation allowances: Provided further, That of the funds made available by this Act for the Peace Corps, not to exceed a total of $4,000 shall be available for entertainment expenses: Provided further, That of the funds made available by this Act under the heading "Trade and Development Agency", not to exceed $2,000 shall be available for representation and entertainment allowances: Provided further, That of the funds made available by this Act under the heading "Millennium Challenge Corporation", not to exceed $130,000 shall be available for representation and entertainment allowances.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 506. (a) PROHIBITION ON TAXATION.—None of the funds appropriated by this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from tax-

ation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2004 on funds appropriated by this Act by a foreign government or entity against commodities financed under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2005 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance to countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes.

(e) DETERMINATIONS.—

(1) The provisions of this section shall not apply to any country or entity the Secretary of State determines—

(A) does not assess taxes on United States assistance or which has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the policy of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any country or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section—

(1) the terms "taxes" and "taxation" refer to value added taxes and customs duties imposed on commodities financed with United States assistance for programs for which funds are appropriated by this Act; and

(2) the term "bilateral agreement" refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

(h) RELATIONSHIP TO PRIOR LAW.—Section 579 of Division E of Public Law 108–7 shall be deemed to have been amended by subsection (f) of this section and the modifications made by this section to comparable provisions contained in section 579.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Libya, North Korea, Iran, or Syria: Provided, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by decree or military coup: Provided, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: Provided further, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFERS

SEC. 509. (a)(1) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—None of the funds made available by this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(b) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than five days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate.

(c) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assist-

ance Act of 1961 or any comparable provision of law, shall expressly provide that the Office of the Inspector General for the agency receiving the transfer or allocation of such funds shall perform periodic program and financial audits of the use of such funds: Provided, That funds transferred under such authority may be made available for the cost of such audits.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 510. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: Provided, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 667, chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, section 23 of the Arms Export Control Act, and funds provided under the heading "Assistance for Eastern Europe and the Baltic States", shall remain available for an additional four years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for "Child Survival and Health Programs

Fund", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative", "Assistance for Eastern Europe and the Baltic States", "Assistance for the Independent States of the Former Soviet Union", "Economic Support Fund", "Global HIV/AIDS Initiative", "Peacekeeping Operations", "Capital Investment Fund", "Operating Expenses of the United States Agency for International Development", "Operating Expenses of the United States Agency for International Development Office of Inspector General", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Millennium Challenge Corporation" (by country only), "Foreign Military Financing Program", "International Military Education and Training", "Peace Corps", and "Migration and Refugee Assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are previously notified 15 days in advance: Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That this section shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under title II of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: Provided further, That the requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided further, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2005.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

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

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

(2) if that government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures.

Assistance may be furnished without regard to this subsection if the President determines that to do so is in the national interest.

(b) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(c) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for any state to enhance its military capability: Provided, That this restriction does not apply to demilitarization, demining or nonproliferation programs.

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

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

(f) Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(g) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the heading "Assistance for the Independent States of the Former Soviet Union" and under comparable headings in prior appropriations Acts, for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to the New Independent States and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2004, for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: Provided, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated by this Act shall be obligated or expended for Liberia, Serbia, Sudan, Zimbabwe, Pakistan, Cambodia, or the Democratic Republic of the Congo except as provided through the regular notification procedures of the Committees on Appropriations.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as: (1) justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appro-

priations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

CHILD SURVIVAL AND HEALTH ACTIVITIES

SEC. 522. Up to $13,500,000 of the funds made available by this Act for assistance under the heading "Child Survival and Health Programs Fund", may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: Provided, That up to $3,500,000 of the funds made available by this Act for assistance under the heading "Development Assistance" may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: Provided further, That funds appropriated by titles II and III of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for the provisions under the heading "Child Survival and Health Programs Fund" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.) as amended by section 595 of this Act: Provided further, That of the funds appropriated under title II of this Act, not less than $432,000,000 shall be made available for family planning/reproductive health.

AFGHANISTAN

SEC. 523. Of the funds appropriated by this Act, $405,000,000 shall be made available for humanitarian and reconstruction assistance for Afghanistan: Provided, That of the funds made available pursuant to this section, not less than $75,000,000 should be from funds appropriated under the heading "Economic Support Fund": Provided further, That of the funds made available pursuant to this section, not less than $2,000,000 should be made available for reforestation activities: Provided further, That funds made available pursuant to the previous proviso should be matched, to the maximum extent possible, with contributions from American and Afghan businesses: Provided further, That of the funds made available pursuant to this section, not less than $2,000,000 should be made available for the Afghan Judicial Reform Commission: Provided further, That of the funds made available pursuant to this section, not less than $5,000,000 should be made available to support programs to address the needs of Afghan women through training and equipment to improve the capacity of women-led Afghan nongovernmental organizations and to support the activities of such organizations: Provided further, That not less than $2,000,000 should be made available for assistance for Afghan communities and families that suffer losses as a result of the military operations.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: Provided further, That such Committees shall also be informed of the original acquisition cost of such defense articles.

USAID OVERSEAS PROGRAM

SEC. 525. Funds appropriated by this and subsequent appropriations Acts to carry out the provisions of Part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", may be made available to employ individuals overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980: Provided, That in fiscal years 2004, 2005, and 2006 the authority of this section may be used to hire not more than 85 individuals in each such year.

DEMOCRACY PROGRAMS

SEC. 526. (a) Notwithstanding any other provision of law, of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $13,500,000 shall be made available for assistance for activities to support democracy, human rights, and the rule of law in the People's Republic of China and Hong Kong: Provided, That funds appropriated under the heading "Economic Support Fund" should be made available for assistance for Taiwan for the purposes of furthering political and legal reforms: Provided further, That such funds shall only be made available to the extent that they are matched from sources other than the United States Government: Provided further, That funds made available pursuant to the authority of this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(b)(1) In addition to the funds made available in subsection (a), of the funds appropriated by this Act under the heading "Economic Support Fund" not less than $11,500,000 shall be made available for programs and activities to foster democracy, human rights, civic education, women's development, press freedom, and the rule of law in countries with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism: Provided, That funds made available pursuant to the authority of this subsection should support new initiatives or bolster ongoing pro-

grams and activities in those countries: Provided further, That not less than $3,000,000 of such funds shall be made available for programs and activities that provide professional training for journalists: Provided further, That of the funds appropriated under this heading, in addition to other amounts made available for Egypt in this Act, funds shall be made available to support civil society organizations working for democracy in Egypt: Provided further, That notwithstanding any other provision of law, not to exceed $1,500,000 of such funds may be used for making grants to educational, humanitarian and nongovernmental organizations and individuals inside Iran to support the advancement of democracy and human rights in Iran: Provided further, That funds made available pursuant to this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(2) In addition to funds made available under subsections (a) and (b)(1), of the funds appropriated by this Act under the heading "Economic Support Fund" not less than $3,000,000 shall be made available for programs and activities of the National Endowment for Democracy to foster democracy, human rights, civic education, women's development, press freedom, and the rule of law in countries in sub-Saharan Africa.

(c) Of the funds made available under subsection (a), not less than $10,500,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, to support the activities described in subsection (a), and of the funds made available under subsection (b), not less than $7,000,000 shall be made available for such Fund to support the activities described in subsection (b): Provided, That the total amount of funds made available by this Act under "Economic Support Fund" for activities of the Bureau of Democracy, Human Rights and Labor, Department of State, including funds available in this section, shall be not less than $34,500,000.

(d) Of the funds made available under subsection (a), not less than $3,000,000 shall be made available for the National Endowment for Democracy to support the activities described in subsection (a), and of the funds made available under subsection (b), not less than $3,500,000 shall be made available for the National Endowment for Democracy to support the activities described in subsection (b): Provided, That the Secretary of State shall provide a report to the Committees on Appropriations within 120 days of the date of enactment of this Act on the status of the allocation, obligation, and expenditure of such funds.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available to any country which the President determines—

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

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or hu-

manitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

DEBT-FOR-DEVELOPMENT

SEC. 528. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

SEPARATE ACCOUNTS

SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

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

(B) enter into an agreement with that government which sets forth—

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

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

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

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

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

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

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

(3) PROGRAMMING ACCOUNTABILITY.—The United States Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

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

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

ENTERPRISE FUND RESTRICTIONS

SEC. 530. Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

BURMA

SEC. 531. (a) The Secretary of the Treasury shall instruct the United States executive director to each appropriate international financial institution in which the United States participates, to oppose and vote against the extension by such institution of any loan

or financial or technical assistance or any other utilization of funds of the respective bank to and for Burma.

(b) Of the funds appropriated under the heading "Economic Support Fund", not less than $13,000,000 shall be made available to support democracy activities in Burma, along the Burma-Thailand border, for activities of Burmese student groups and other organizations located outside Burma, and for the purpose of supporting the provision of humanitarian assistance to displaced Burmese along Burma's borders: Provided, That of this amount $500,000 should be made available to support newspapers, publications, and other media activities promoting democracy inside Burma: Provided further, That funds made available under this heading may be made available notwithstanding any other provision of law: Provided further, That $5,000,000 shall be allocated to the United States Agency for International Development for humanitarian assistance for displaced Burmese and host communities in Thailand: Provided further, That not more than 60 days after enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit a report to the Committees on Appropriations describing the amount and rate of disbursement of fiscal years 2002 and 2003 funding for HIV/AIDS programs and activities in Burma, the estimated amount of funds expended by the State Peace and Development Council (SPDC) on HIV/AIDS programs and activities in calendar years 2001, 2002, and 2003, and the extent to which international nongovernmental organizations are able to conduct HIV/AIDS programs throughout Burma, including the ability of expatriate staff to freely travel through the country and to conduct programmatic oversight independent of SPDC handling and monitoring: Provided further, That funds made available by this section shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) It is the sense of the Congress that the United Nations Security Council should debate and consider sanctions against Burma as a result of the threat to regional stability and peace posed by the repressive and illegitimate rule of the State Peace and Development Council.

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

SEC. 532. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 533. None of the funds appropriated by this Act may be obligated or expended to provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing

such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(b) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: Provided, That the application of section 507(4) (D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

SPECIAL AUTHORITIES

SEC. 534. (a) AFGHANISTAN, PAKISTAN, LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated by this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 512 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961, and funds appropriated in titles I and II of this Act that are made available for Lebanon, Montenegro, Pakistan, and for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs aimed at reducing greenhouse gas emissions: Provided, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 25 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 10 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and

certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(e) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(f) SHIPMENT OF HUMANITARIAN ASSISTANCE.—During fiscal year 2004 and each fiscal year thereafter, of the amounts made available by the United States Agency for International Development to carry out the provisions of section 123(b) of the Foreign Assistance Act of 1961, funds may be made available to nongovernmental organizations for administrative costs necessary to implement a program to obtain available donated space on commercial ships for the shipment of humanitarian assistance overseas.

(g) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(h) NATIONAL ENDOWMENT FOR DEMOCRACY.—Funds appropriated by this Act that are provided to the National Endowment for Democracy may be provided notwithstanding any other provision of law or regulation.

(i) WORLD FOOD PROGRAM.—Of the funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance of the United States Agency for International Development, from this or any other Act, not less than $6,000,000 shall be made available as a general contribution to the World Food Program, notwithstanding any other provision of law.

(j) SUDAN.—For the purposes of section 501 of Public Law 106–570, the terms "areas outside of control of the Government of Sudan" and "area in Sudan outside of control of the Government of Sudan" shall, upon conclusion of a peace agreement between the Government of Sudan and the Sudan People's Liberation Movement, have the same meaning and application as was the case immediately prior to the conclusion of such agreement.

(k) PROGRAMS.—Of the funds appropriated under "Economic Support Fund" for Middle East regional programs, up to $5,000,000 may be made available for programs and activities of the Yitzhak Rabin Center for Israel Studies in Tel Aviv, Israel, and up to $5,000,000 may be made available for programs and activities of the Center for Human Dignity Museum of Tolerance in Jerusalem.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 535. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel,

is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) the three Arab League countries with diplomatic and trade relations with Israel should return their ambassadors to Israel, should refrain from downgrading their relations with Israel, and should play a constructive role in securing a peaceful resolution of the Israeli-Arab conflict;

(4) the remaining Arab League states should normalize relations with their neighbor Israel;

(5) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(6) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

ADMINISTRATION OF JUSTICE ACTIVITIES

SEC. 536. Of the funds appropriated or otherwise made available by this Act or any subsequent Act for "Economic Support Fund", assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean and in other regions consistent with the provisions of section 534(b) of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act. Funds made available pursuant to this section may be made available notwithstanding section 534(c) and the second and third sentences of section 534(e) of the Foreign Assistance Act of 1961.

ELIGIBILITY FOR ASSISTANCE

SEC. 537. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States": Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance

to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2004, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

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

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

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

RESERVATIONS OF FUNDS

SEC. 538. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: Provided, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

CEILINGS AND EARMARKS

SEC. 539. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 540. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: Provided, That not to exceed $750,000 may be made available to carry out the provisions of section 316 of Public Law 96–533.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 541. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

SEC. 542. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 543. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver authority of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 544. (a) Subject to subsection (c), of the funds appropriated by this Act that are made available for assistance for a foreign

country, an amount equal to 110 percent of the total amount of the unpaid fully adjudicated parking fines and penalties owed by such country shall be withheld from obligation for such country until the Secretary of State submits a certification to the appropriate congressional committees stating that such parking fines and penalties are fully paid.

(b) Funds withheld from obligation pursuant to subsection (a) may be made available for other programs or activities funded by this Act, after consultation with and subject to the regulation notification procedures of the appropriate congressional committees, provided that no such funds shall be made available for assistance to the central government of a foreign country that has not paid the total amount of the fully adjudicated parking fines and penalties owed by such country.

(c) Subsection (a) shall not include amounts that have been withheld under any other provision of law.

(d) The Secretary of State may waive the requirements set forth in subsection (a) no sooner than 60 days from the date of enactment of this Act, or at any time with respect to a particular country, if the Secretary determines that it is in the national interests of the United States to do so.

(e) Not later than 6 months after the initial exercise of the waiver authority in subsection (d), the Secretary of State, after consultations with the City of New York, shall submit a report to the Committees on Appropriations describing a strategy, including a timetable and steps currently being taken, to collect the parking fines and penalties owed by nations receiving foreign assistance under this Act.

(f) In this section:

(1) The term "appropriate congressional committees" means the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

(2) The term "fully adjudicated" includes circumstances in which the person to whom the vehicle is registered—

(A)(i) has not responded to the parking violation summons; or

(ii) has not followed the appropriate adjudication procedure to challenge the summons; and

(B) the period of time for payment of or challenge to the summons has lapsed.

(3) The term "parking fines and penalties" means parking fines and penalties—

(A) owed to—

(i) the District of Columbia; or

(ii) New York, New York; and

(B) incurred during the period April 1, 1997 through September 30, 2003.

LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 545. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation

to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: Provided, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 546. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961, as amended, of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: Provided further, That funds made available for tribunals other than Yugoslavia, Rwanda, or the Special Court for Sierra Leone shall be made available subject to the regular notification procedures of the Committees on Appropriations.

LANDMINES

SEC. 547. Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 548. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: Provided further, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations

other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 549. None of the funds appropriated or otherwise made available by this Act under the heading "International Military Education and Training" or "Foreign Military Financing Program" for Informational Program activities or under the headings "Child Survival and Health Programs Fund", "Development Assistance", and "Economic Support Fund" may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

SEC. 550. None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

HAITI

SEC. 551. The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 552. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure. The report shall also include a

description of how funds will be spent and the accounting procedures in place to ensure that they are properly disbursed.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 553. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: Provided, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: Provided further, That in the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

FOREIGN MILITARY TRAINING REPORT

SEC. 554. The annual foreign military training report required by section 656 of the Foreign Assistance Act of 1961 shall be submitted by the Secretary of Defense and the Secretary of State to the Committees on Appropriations of the House of Representatives and the Senate by the date specified in that section.

ENVIRONMENT PROGRAMS

SEC. 555. (a) FUNDING.—Of the funds appropriated under the heading "Development Assistance", not less than $155,000,000 shall be made available for programs and activities which directly protect biodiversity, including forests, in developing countries, of which $1,500,000 should be made available to improve the capacity of indigenous groups and local environmental organizations and law enforcement agencies to protect the biodiversity of indigenous reserves in the Amazon Basin region of Brazil, which amount shall be in addition to the amount requested in this Act for assistance for Brazil for fiscal year 2004: Provided, That not later than one year after enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and other appropriate departments and agencies, and after consultation with appropriate governments and nongovernmental organizations, shall submit to the Committees on Appropriations a strategy for biodiversity conservation in the Amazon Basin region of South America: Provided further, That of the funds appropriated under the headings "Development Assistance" and "Andean Counterdrug Initiative", funds shall be made available in fiscal year 2004 to develop the strategy described in the previous proviso: Provided further, That of the funds appropriated by this Act, not less than $180,000,000 shall be made available to support policies and programs in developing countries that directly (1) promote a wide range of energy conservation, energy efficiency and clean energy programs and activities, including the transfer of clean and en-

vironmentally sustainable energy technologies; (2) measure, monitor, and reduce greenhouse gas emissions; (3) increase carbon sequestration activities; and (4) enhance climate change mitigation and adaptation programs.

(b) CLIMATE CHANGE REPORT.—Not later than 45 days after the date on which the President's fiscal year 2005 budget request is submitted to Congress, the President shall submit a report to the Committees on Appropriations describing in detail the following—

(1) all Federal agency obligations and expenditures, domestic and international, for climate change programs and activities in fiscal year 2004, including an accounting of expenditures by agency with each agency identifying climate change activities and associated costs by line item as presented in the President's Budget Appendix; and

(2) all fiscal year 2003 obligations and estimated expenditures, fiscal year 2004 estimated expenditures and estimated obligations, and fiscal year 2005 requested funds by the United States Agency for International Development, by country and central program, for each of the following: (i) to promote the transfer and deployment of a wide range of United States clean energy and energy efficiency technologies; (ii) to assist in the measurement, monitoring, reporting, verification, and reduction of greenhouse gas emissions; (iii) to promote carbon capture and sequestration measures; (iv) to help meet such countries' responsibilities under the Framework Convention on Climate Change; and (v) to develop assessments of the vulnerability to impacts of climate change and mitigation and adaptation response strategies.

REGIONAL PROGRAMS FOR EAST ASIA AND THE PACIFIC

SEC. 556. Funds appropriated by this Act under the heading "Economic Support Fund" that are requested for "Regional Democracy" assistance for East Asia and the Pacific shall be made available for the Human Rights and Democracy Fund of the Bureau for Democracy, Human Rights and Labor, Department of State.

ZIMBABWE

SEC. 557. The Secretary of the Treasury shall instruct the United States executive director to each international financial institution to vote against any extension by the respective institution of any loans, to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State determines and certifies to the Committees on Appropriations that the rule of law has been restored in Zimbabwe, including respect for ownership and title to property, freedom of speech and association.

TIBET

SEC. 558. (a) The Secretary of Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-suf-

ficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

(b) Notwithstanding any other provision of law, not less than $4,000,000 of the funds appropriated by this Act under the heading "Economic Support Fund" shall be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China.

AUTHORIZATION REQUIREMENT

SEC. 559. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

NIGERIA

SEC. 560. None of the funds appropriated under the headings "International Military Education and Training" and "Foreign Military Financing Program" may be made available for assistance for Nigeria until the President certifies to the Committees on Appropriations that the Nigerian Minister of Defense, the Chief of the Army Staff, and the Minister of State for Defense/Army are suspending from the Armed Forces those members, of whatever rank, against whom there is credible evidence of gross violations of human rights in Benue State in October 2001, and the Government of Nigeria and the Nigerian Armed Forces are taking effective measures to bring such individuals to justice: Provided, That the President may waive such prohibition if he determines that doing so is in the national security interest of the United States: Provided further, That prior to exercising such waiver authority, the President shall submit a report to the Committees on Appropriations describing the involvement of the Nigerian Armed Forces in the incident in Benue State, the measures that are being taken to bring such individuals to justice, and whether any Nigerian Armed Forces units involved with the incident in Benue State are receiving United States assistance.

CAMBODIA

SEC. 561. (a) The Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Central Government of Cambodia, except loans to meet basic human needs.

(b)(1) None of the funds appropriated by this Act may be made available for assistance for the Central Government of Cambodia.

(2) Paragraph (1) shall not apply to assistance for basic education, reproductive and maternal and child health, cultural and historic preservation, programs for the prevention, treatment, and control of, and research on, HIV/AIDS, tuberculosis, malaria, polio and other infectious diseases, programs to combat human trafficking that are provided through nongovernmental organizations, and for the Ministry of Women and Veterans Affairs to combat human trafficking.

(c) Of the funds appropriated by this Act under the heading "Economic Support Fund", up to $4,000,000 may be made available for activities to support democracy, including assistance for democratic political parties.

(d) Funds appropriated by this Act to carry out provisions of section 541 of the Foreign Assistance Act of 1961 may be made available notwithstanding subsection (b) only if at least 15 days prior to the obligation of such funds, the Secretary of State provides to the Committees on Appropriations a list of those individuals who have been credibly alleged to have ordered or carried out extrajudicial and political killings that occurred during the March 1997 grenade attack against the Khmer Nation Party, the July 1997 coup d'etat, and election related violence that occurred during the 1998, 2002, and 2003 elections in Cambodia.

(e) None of the funds appropriated or otherwise made available by this Act may be used to provide assistance to any tribunal established by the Government of Cambodia.

PALESTINIAN STATEHOOD

SEC. 562. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated by this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) a new leadership of a Palestinian governing entity has been democratically elected through credible and competitive elections;

(2) the elected governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel;

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures;

(C) is establishing a new Palestinian security entity that is cooperative with appropriate Israeli and other appropriate security organizations; and

(3) the Palestinian Authority (or the governing body of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgement of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the newly elected governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human

rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if he determines that it is vital to the national security interests of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or a newly elected governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 552 of this Act ("Limitation on Assistance to the Palestinian Authority").

COLOMBIA

SEC. 563. (a) DETERMINATION AND CERTIFICATION REQUIRED.—Notwithstanding any other provision of law, funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available as follows:

(1) Up to 75 percent of such funds may be obligated prior to a determination and certification by the Secretary of State pursuant to paragraph (2).

(2) Up to 12.5 percent of such funds may be obligated only after the Secretary of State certifies and reports to the appropriate congressional committees that:

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

(B) The Colombian Government is vigorously investigating and prosecuting those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations, and is promptly punishing those members of the Colombian Armed Forces found to have committed such violations of human rights or to have aided or abetted paramilitary organizations.

(C) The Colombian Armed Forces have made substantial progress in cooperating with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces have made substantial progress in severing links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at the command, battalion, and brigade levels, with paramilitary organizations, especially in regions where these organizations have a significant presence.

(E) The Colombian Armed Forces are dismantling paramilitary leadership and financial networks by arrest-

ing commanders and financial backers, especially in regions where these networks have a significant presence.

(3) The balance of such funds may be obligated after July 31, 2004, if the Secretary of State certifies and reports to the appropriate congressional committees, after such date, that the Colombian Armed Forces are continuing to meet the conditions contained in paragraph (2) and are conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations.

(b) CONGRESSIONAL NOTIFICATION.—Funds made available by this Act for the Colombian Armed Forces shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) CONSULTATIVE PROCESS.—Not later than 60 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2005, the Secretary of State shall consult with internationally recognized human rights organizations regarding progress in meeting the conditions contained in that subsection.

(d) DEFINITIONS.—In this section:

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

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

ILLEGAL ARMED GROUPS

SEC. 564. (a) DENIAL OF VISAS TO SUPPORTERS OF COLOMBIAN ILLEGAL ARMED GROUPS.—Subject to subsection (b), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

(1) has willfully provided any support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC), including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups; or

(2) has committed, ordered, incited, assisted, or otherwise participated in the commission of gross violations of human rights, including extra-judicial killings, in Colombia.

(b) WAIVER.—Subsection (a) shall not apply if the Secretary of State determines and certifies to the appropriate congressional committees, on a case-by-case basis, that the issuance of a visa to the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 565. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

WEST BANK AND GAZA PROGRAM

SEC. 566. (a) OVERSIGHT.—For fiscal year 2004, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading "Economic Support Fund" for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual or entity that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection.

(c) AUDITS.—(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for the West Bank and Gaza, up to $1,000,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection. Such funds are in addition to funds otherwise available for such purposes.

CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 567. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under "International Organizations and Programs" and "Child Survival and Health Programs Fund" for fiscal year 2004, the amount cited in section 576 of Public Law 107–115 shall be made available for the United Nations Population Fund (hereafter in this section referred to as the "UNFPA").

(b) FAMILY PLANNING, MATERNAL AND REPRODUCTIVE HEALTH ACTIVITIES.—Of the funds appropriated in Public Law 107–115 that were available for the UNFPA, including all funds that were transferred to "Child Survival and Health Programs Fund", $34,000,000 shall be made available for family planning, maternal and reproductive health activities in the Democratic Republic of the Congo, Ethiopia, Nigeria, Tanzania, Uganda, Haiti, Georgia, Azerbaijan, Russia, Albania, Romania, and Kazakhstan: Provided, That such programs and activities shall be deemed to have been justified to Congress.

(c) TRAFFICKING INITIATIVE.—Of the funds appropriated in Public Law 108–7 that were available for the UNFPA and that were transferred to "Child Survival and Health Programs Fund", $25,000,000 shall be allocated for assistance for "vulnerable chil-

dren" and made available for a new initiative for assistance for young women, mothers and children who are victims of trafficking in persons: Provided, That such programs and activities shall be deemed to have been justified to Congress.

(d) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under "International Organizations and Programs" may be made available for the UNFPA for a country program in the People's Republic of China.

(e) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under "International Organizations and Programs" and "Child Survival and Health Programs Fund" for fiscal year 2004 for the UNFPA may not be made available to UNFPA unless—

(1) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(2) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(3) the UNFPA does not fund abortions.

CENTRAL ASIA

SEC. 568. (a) Funds appropriated by this Act may be made available for assistance for the central Government of Uzbekistan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Uzbekistan is making substantial and continuing progress in meeting its commitments under the "Declaration on the Strategic Partnership and Cooperation Framework Between the Republic of Uzbekistan and the United States of America", including respect for human rights, establishing a genuine multi-party system, and ensuring free and fair elections, freedom of expression, and the independence of the media.

(b) Funds appropriated by this Act may be made available for assistance for the Government of Kazakhstan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Kazakhstan has made significant improvements in the protection of human rights during the preceding 6 month period.

(c) The Secretary of State may waive the requirements under subsection (b) if he determines and reports to the Committees on Appropriations that such a waiver is in the national security interests of the United States.

(d) Not later than October 1, 2004, the Secretary of State shall submit a report to the Committees on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives describing the following:

(1) The defense articles, defense services, and financial assistance provided by the United States to the countries of Central Asia during the 6-month period ending 30 days prior to submission of such report.

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

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

DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION

SEC. 569. None of the funds appropriated under this Act may be made available for the Government of the Russian Federation, after 180 days from the date of the enactment of this Act, unless the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation has implemented no statute, executive order, regulation or similar government action that would discriminate, or who have as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party.

WAR CRIMINALS

SEC. 570. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new project involving the extension by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the "Tribunal") all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

(2) The provisions of this subsection shall not apply to humanitarian assistance or assistance for democratization.

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate congressional committees that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension; and

(2) are acting consistently with the Dayton Accords.

(c) Not less than 10 days before any vote in an international financial institution regarding the extension of any new project involving financial or technical assistance or grants to any country or entity described in subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

(d) In carrying out this section, the Secretary of State, the Administrator of the United States Agency for International Develop-

ment, and the Secretary of the Treasury shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (a).

(e) The Secretary of State may waive the application of subsection (a) with respect to projects within a country, entity, or municipality upon a written determination to the Committees on Appropriations that such assistance directly supports the implementation of the Dayton Accords.

(f) DEFINITIONS.—As used in this section—

(1) COUNTRY.—The term "country" means Bosnia and Herzegovina, Croatia and Serbia.

(2) ENTITY.—The term "entity" refers to the Federation of Bosnia and Herzegovina, Kosovo, Montenegro and the Republika Srpska.

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

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

USER FEES

SEC. 571. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan, grant, strategy or policy of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention and treatment efforts for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions' financing programs.

FUNDING FOR SERBIA

SEC. 572. (a) Funds appropriated by this Act may be made available for assistance for Serbia after March 31, 2004, if the President has made the determination and certification contained in subsection (c).

(b) After March 31, 2004, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of the Federal Republic of Yugoslavia (or a government of a successor state) subject to the conditions in subsection (c): Provided, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans and assistance to the Federal Republic of Yugoslavia (or a successor state) through international financial institutions.

(c) The determination and certification referred to in subsection (a) is a determination by the President and a certification to the

Committees on Appropriations that the Government of the Federal Republic of Yugoslavia (or a government of a successor state) is—

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension, including making all practicable efforts to apprehend and transfer Ratko Mladic;

(2) taking steps that are consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law, including the release of political prisoners from Serbian jails and prisons.

(d) This section shall not apply to Montenegro, Kosovo, humanitarian assistance or assistance to promote democracy in municipalities.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 573. (a) AUTHORITY.—Funds made available by this Act to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority in Jamaica and El Salvador through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 574. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;

(2) credits extended or guarantees issued under the Arms Export Control Act; or

(3) any obligation or portion of such obligation, to pay for purchases of United States agricultural commodities guaranteed by the Commodity Credit Corporation under export credit guarantee programs authorized pursuant to section 5(f) of the Commodity Credit Corporation Charter Act of June 29, 1948, as amended, section 4(b) of the Food for Peace Act of 1966, as amended (Public Law 89–808), or section 202 of the Agricultural Trade Act of 1978, as amended (Public Law 95–501).

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as "Paris Club Agreed Minutes".

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

(1) does not have an excessive level of military expenditures;

(2) has not repeatedly provided support for acts of international terrorism;

(3) is not failing to cooperate on international narcotics control matters;

(4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

(5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to the funds appropriated by this Act under the heading "Debt Restructuring".

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for the purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 575. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development,

and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

DISASTER SURGE CAPACITY

SEC. 576. Funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961 may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by the United States Agency for International Development whose primary responsibility is to carry out programs to address natural or man-made disasters or programs under the heading "Transition Initiatives".

IFAD AUTHORIZATION

SEC. 577. The Secretary of the Treasury may, to fulfill commitments of the United States, contribute on behalf of the United States to the sixth replenishment of the resources of the International Fund

for Agricultural Development. The following amount is authorized to be appropriated without fiscal year limitation for payment by the Secretary of the Treasury: $45,000,000 for the International Fund for Agricultural Development.

PHILIPPINE EDUCATION AND HEALTH INFRASTRUCTURE

SEC. 578. Of the funds appropriated under "Economic Support Fund" for the Philippines in Public Law 108–11, the Emergency Wartime Supplemental Appropriations Act, 2003, $600,000 shall be available only for upgrading education and health infrastructure in the Sulu Archipelago.

BASIC EDUCATION

SEC. 579. Of the funds appropriated by title II of this Act, not less than $326,500,000 shall be made available for basic education: Provided, That the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), shall submit a report not later than 120 days after enactment of this Act articulating a strategy for the use of basic education funds in Africa, East Asia and the Pacific, the Near East, South Asia, and the Western Hemisphere (excluding the United States) to include—

(1) country strategies and brief project descriptions of the uses and proposed uses of all United States Government resources for basic education overseas;

(2) a detailed description of the administrative structure currently in place to manage strategic coordination undertaken among the State Department, USAID and other agencies involved in international basic education activities; and

(3) a description of actions being taken to expand the administrative capacity of both USAID and the State Department to deliver effective expanded basic education programs.

PARTICIPATION IN THE THIRTEENTH REPLENISHMENT OF THE RESOURCES OF THE INTERNATIONAL DEVELOPMENT ASSOCIATION

SEC. 580. The International Development Association Act (22 U.S.C. 284–284s) is amended by adding at the end the following:

"SEC. 22. THIRTEENTH REPLENISHMENT.

"(a) CONTRIBUTION AUTHORITY.—

"(1) IN GENERAL.—The United States Governor of the Association may contribute on behalf of the United States an amount equal to the amount appropriated under subsection (b), pursuant to the resolution of the Association entitled 'Additions to IDA Resources: Thirteenth Replenishment'.

"(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

"(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated such sums as may be necessary for payment by the Secretary of the Treasury, without fiscal year limitation.".

ADMINISTRATIVE PROVISIONS RELATED TO MULTILATERAL DEVELOPMENT INSTITUTIONS

SEC. 581. Title XV of the International Financial Institutions Act (22 U.S.C. 262o—262o–2) is amended by adding at the end the following:

"SEC. 1504. ADMINISTRATIVE PROVISIONS.

"(a) ACHIEVEMENT OF CERTAIN POLICY GOALS.—The Secretary of Treasury should instruct the United States Executive Director at each multilateral development institution to inform the institution of the following United States policy goals, and use the voice and vote of the United States to achieve the goals at the institution before June 30, 2005:

"(1) No later than 60 calendar days after the Board of Directors of the institution approves the minutes of a Board meeting, the institution shall post on its website an electronic version of the minutes, with material deemed too sensitive for public distribution redacted.

"(2) The institution shall keep a written transcript or electronic recording of each meeting of its Board of Directors and preserve the transcript or recording for at least 10 years after the meeting.

"(3) All public sector loan, credit and grant documents, country assistance strategies, sector strategies, and sector policies prepared by the institution and presented for endorsement or approval by its Board of Directors, with materials deemed too sensitive for public distribution redacted or withheld, shall be made available to the public 15 calendar days before consideration by the Board or, if not then available, when the documents are distributed to the Board. Such documents shall include the resources and conditionality necessary to ensure that the borrower complies with applicable laws in carrying out the terms and conditions of such documents, strategies, or policies, including laws pertaining to the integrity and transparency of the process such as public consultation, and to public health and safety and environmental protection.

"(4) The institution shall post on its website an annual report containing statistical summaries and case studies of the fraud and corruption cases pursued by its investigations unit.

"(5) The institution shall require that any health, education, or poverty-focused loan, credit, grant, document, policy, or strategy prepared by the institution includes specific outcome and output indicators to measure results, and that the indicators and results be published periodically during the execution, and at the completion, of the project or program.

"(6) The institution shall establish a plan and schedule for conducting regular, independent audits of internal management controls and procedures for meeting operational objectives, complying with Bank policies, and preventing fraud, and making reports describing the scope and findings of such audits available to the public.

"(7) The institution shall establish effective procedures for the receipt, retention, and treatment of (A) complaints received by the Bank regarding fraud, accounting, mismanagement, internal accounting controls, or auditing matters; and (B) the

confidential, anonymous submission by employees of the Bank of concerns regarding fraud, accounting, mismanagement, internal accounting controls, or auditing matters.

"(b) Not later than September 1, 2004 and six months thereafter, the Secretary of the Treasury shall submit a report to the appropriate congressional committees describing the actions taken by each multilateral development institution to implement the policy goals described in subsection (a), and any further actions that need to be taken to fully implement such goals.

"(c) PUBLICATION OF WRITTEN STATEMENTS REGARDING INSPECTION MECHANISM CASES.—No later than 60 calendar days after a meeting of the Board of Directors of a multilateral development institution, the Secretary of the Treasury should provide for publication on the website of the Department of the Treasury of any written statement presented at the meeting by the United States Executive Director at the institution concerning—

"(1) a project on which a claim has been made to the inspection mechanism of the institution; or

"(2) a pending inspection mechanism case.

"(d) CONGRESSIONAL BRIEFINGS.—The Secretary of the Treasury or the designee of the Secretary should brief the appropriate congressional committees, when requested, on the steps that have been taken by the United States Executive Director at any multilateral development institution, and by any such institution, to implement the measures described in this section.

"(e) PUBLICATION OF 'NO' VOTES AND ABSTENTIONS BY THE UNITED STATES.—Each month, the Secretary of the Treasury should provide for posting on the website of the Department of the Treasury of a record of all 'no' votes and abstentions made by the United States Executive Director at any multilateral development institution on any matter before the Board of Directors of the institution.

"(f) MULTILATERAL DEVELOPMENT INSTITUTION DEFINED.—In this section, the term 'multilateral development institution' shall have the meaning given in section 1701(c)(3).".

PARTICIPATION IN THE SEVENTH REPLENISHMENT OF THE RESOURCES OF THE ASIAN DEVELOPMENT FUND

SEC. 582. The Asian Development Bank Act (22 U.S.C. 285–285aa) is amended by adding at the end the following:

"SEC. 31. ADDITIONAL CONTRIBUTION TO SPECIAL FUNDS.

"(a) CONTRIBUTION AUTHORITY.—

"(1) IN GENERAL.—The United States Governor of the Bank may contribute on behalf of the United States an amount equal to the amount appropriated under subsection (b), pursuant to the resolution of the Bank entitled 'Seventh Replenishment of the Asian Development Fund'.

"(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

"(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated such sums as may be necessary for payment by the Secretary of the Treasury, without fiscal year limitation.".

PARTICIPATION IN THE NINTH REPLENISHMENT OF THE RESOURCES OF THE AFRICAN DEVELOPMENT FUND

SEC. 583. The African Development Fund Act (22 U.S.C. 290g—290g–15) is amended by adding at the end the following:

"SEC. 217. NINTH REPLENISHMENT.

"(a) CONTRIBUTION AUTHORITY.—

"(1) IN GENERAL.—The United States Governor of the Fund may contribute on behalf of the United States an amount equal to the amount appropriated under subsection (b), pursuant to the resolution of the Fund entitled 'The Ninth General Replenishment of Resources of the African Development Fund'.

"(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

"(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated such sums as may be necessary for payment by the Secretary of the Treasury, without fiscal year limitation.".

OVERSEAS PRIVATE INVESTMENT CORPORATION AND EXPORT-IMPORT BANK RESTRICTIONS

SEC. 584. (a) LIMITATION ON USE OF FUNDS BY OPIC.—None of the funds made available in this Act may be used by the Overseas Private Investment Corporation to insure, reinsure, guarantee, or finance any investment in connection with a project involving the mining, polishing or other processing, or sale of diamonds in a country that fails to meet the requirements of subsection (c).

(b) LIMITATION ON USE OF FUNDS BY THE EXPORT-IMPORT BANK.—None of the funds made available in this Act may be used by the Export-Import Bank of the United States to guarantee, insure, extend credit, or participate in an extension of credit in connection with the export of any goods to a country for use in an enterprise involving the mining, polishing or other processing, or sale of diamonds in a country that fails to meet the requirements of subsection (c).

(c) REQUIREMENTS.—The requirements referred to in subsections (a) and (b) are that the country concerned is implementing the recommendations, obligations and requirements developed by the Kimberley Process on conflict diamonds.

RECONCILIATION PROGRAMS

SEC. 585. Of the funds appropriated under the headings "Economic Support Fund", not less than $8,000,000 shall be made available to support reconciliation programs and activities which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil conflict and war.

NICARAGUA

SEC. 586. Of the funds appropriated under the headings "Development Assistance" and "Child Survival and Health Programs Fund", not less than $35,000,000 shall be made available for assistance for Nicaragua.

DISABILITY ACCESS

SEC. 587. The Administrator of the United States Agency for International Development ("USAID") shall seek to ensure that programs, projects, and activities administered by USAID in Afghanistan comply fully with USAID's "Policy Paper: Disability" issued on September 12, 1997: Provided, That the Administrator shall submit a report to the Committees on Appropriations not later than December 31, 2004, describing the manner in which the needs of people with disabilities were met in the development and implementation of USAID programs, projects, and activities in Afghanistan in fiscal year 2004: Provided further, That the Administrator, not later than 180 days after enactment of this Act and in consultation, as appropriate, with other appropriate departments and agencies, the Architectural and Transportation Barriers Compliance Board, and nongovernmental organizations with expertise in the needs of people with disabilities, shall develop and implement appropriate standards for access for people with disabilities for construction projects funded by USAID.

TRADE CAPACITY BUILDING

SEC. 588. Of the funds appropriated by this Act, under the headings "Trade and Development Agency", "Development Assistance", "Transition Initiatives", "Economic Support Fund", "International Affairs Technical Assistance", and "International Organizations and Programs", not less than $503,000,000 should be made available for trade capacity building assistance.

WAR CRIMES IN AFRICA

SEC. 589. (a) The Congress recognizes the important contribution that the democratically elected Government of Nigeria has played in fostering stability in West Africa, including reaching an agreement with the Government of Liberia to provide relief and promote reconciliation in that nation. The Congress also recognizes the important contributions of other African nations and supports continued assistance aimed at resolving the conflicts that have destabilized West Africa and the Great Lakes region.

(b) The Congress reaffirms its support for the efforts of the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL) to bring to justice individuals responsible for war crimes and crimes against humanity in a timely manner.

(c) Funds appropriated by this Act, including funds for debt restructuring, may be made available for assistance to the central government of a country in which individuals indicted by ICTR and SCSL are credibly alleged to be living, if the Secretary of State determines and reports to the Committees on Appropriations that such government is cooperating with ICTR and SCSL, including the surrender and transfer of indictees in a timely manner: Provided, That this subsection shall not apply to assistance provided under section 551 of the Foreign Assistance Act of 1961 or to project assistance under title II of this Act: Provided further, That the United States shall use its voice and vote in the United Nations Security Council to fully support efforts by ICTR and SCSL to bring to justice individuals indicted by such tribunals in a timely manner.

(d) The prohibition in subsection (c) may be waived on a country by country basis if the President determines that doing so is in the national security interest of the United States: Provided, That prior to exercising such waiver authority, the President shall report to the Committees on Appropriations, in classified form if necessary, on (1) the steps being taken to obtain the cooperation of the government in surrendering the indictee in question to SCSL or ICTR; (2) a strategy for bringing the indictee before ICTR or SCSL; and (3) the justification for exercising the waiver authority.

(e) Of the funds made available under the heading "Economic Support Fund" in Public Law 108–7, not less than $5,000,000 shall be made available during fiscal year 2004 for a contribution to the Special Court of Sierra Leone: Provided, That funds made available under the previous proviso shall be disbursed no later than 30 days after enactment of this Act.

REPORT ON ADMISSION OF REFUGEES

SEC. 590. (a) The Secretary of State shall utilize private voluntary organizations with expertise in the protection needs of refugees in the processing of refugees overseas for admission and resettlement to the United States, and shall utilize such agencies in addition to the United Nations High Commissioner for Refugees in the identification and referral of refugees.

(b) The Secretary of State should establish a system for accepting referrals of appropriate candidates for resettlement from local private, voluntary organizations and work to ensure that particularly vulnerable refugee groups receive special consideration for admission into the United States, including—

(1) long-stayers in countries of first asylum;

(2) unaccompanied refugee minors;

(3) refugees outside traditional camp settings; and

(4) refugees in woman-headed households.

(c) The Secretary of State shall give special consideration to—

(1) refugees of all nationalities who have close family ties to citizens and residents of the United States; and

(2) other groups of refugees who are of special concern to the United States.

(d) Not later than 120 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations describing the steps that have been taken to implement this section.

POST DIFFERENTIALS AND DANGER PAY ALLOWANCES

SEC. 591. (a) Section 5925(a) of title 5, United States Code, is amended in the third sentence by inserting after "25 percent of the rate of basic pay" the following: "or, in the case of an employee of the United States Agency for International Development, 35 percent of the rate of basic pay".

(b) Section 5928 of title 5, United States Code, is amended by inserting after "25 percent of the basic pay of the employee" both places it appears the following: "or 35 percent of the basic pay of the employee in the case of an employee of the United States Agency for International Development".

(c) Except for employees of the United States Agency for International Development stationed in Iraq and Afghanistan, the amendments made by subsections (a) and (b) shall not take effect until the same authority is enacted for employees of the Department of State.

REPORT ON AZERBAIJAN

SEC. 592. Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Attorney General, shall submit a report to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives on the investigation of the murder of United States democracy worker John Alvis. Such report shall include—

(1) a description of the steps taken by the Government of Azerbaijan to further such investigation and bring to justice those responsible for the murder of John Alvis;

(2) a description of the actions of the Government of Azerbaijan to cooperate with United States agencies involved in such investigation; and

(3) any recommendations of the Secretary for furthering progress of such investigation.

DESIGNATION OF THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS AND MALARIA UNDER THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

SEC. 593. The International Organizations Immunities Act (22 U.S.C. 288 et seq.) is amended by adding at the end the following new section:

"SEC. 16. The provisions of this title may be extended to the Global Fund to Fight AIDS, Tuberculosis and Malaria in the same manner, to the same extent, and subject to the same conditions, as they may be extended to a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation.".

CODE OF CONDUCT

SEC. 594. (a) None of the funds made available by title II under the heading "MIGRATION AND REFUGEE ASSISTANCE" or "TRANSITION INITIATIVES" to provide assistance to refugees or internally displaced persons may be provided to an organization that has failed to adopt a code of conduct consistent with the Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises six core principles for the protection of beneficiaries of humanitarian assistance.

(b) In administering the amounts made available for the accounts described in subsection (a), the Secretary of State and Administrator of the United States Agency for International Development shall incorporate specific policies and programs for the purpose of identifying specific needs of, and particular threats to, women and children at the various stages of humanitarian emergencies, especially at the onset of such emergency.

(c) Not later than 90 days after the date of enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate, the Committee on International Relations of the House of Representatives and the Committees on Appropriations a report on activities of the Government of the United States to protect women and children affected by humanitarian emergencies. The report shall include—

(1) an assessment of the specific protection needs of women and children at the various stages of humanitarian emergencies;

(2) a description of which agencies and offices of the United States Government are responsible for addressing each aspect of such needs and threats; and

(3) guidelines and recommendations for improving United States and international systems for the protection of women and children during humanitarian emergencies.

ASSISTANCE FOR HIV/AIDS

SEC. 595. The United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.) is amended—

(1) in section 202(d)(4)(A), by adding at the end the following new clause:

"(vi) for the purposes of clause (i), 'funds contributed to the Global Fund from all sources' means funds contributed to the Global Fund at any time during fiscal years 2004 through 2008 that are not contributed to fulfill a commitment made for a fiscal year prior to fiscal year 2004.";

(2) in section 202(d)(4)(B), by adding at the end the following new clause:

"(iv) Notwithstanding clause (i), after July 31 of each of the fiscal years 2004 through 2008, any amount made available under this subsection that is withheld by reason of subparagraph (A)(i) is authorized to be made available to carry out sections 104A, 104B, and 104C of the Foreign Assistance Act of 1961 (as added by title III of this Act).";

and

(3) in section 301(f), by inserting ", except that this subsection shall not apply to the Global Fund to Fight AIDS, Tuberculosis and Malaria, the World Health Organization, the International AIDS Vaccine Initiative or to any United Nations agency" after "trafficking".

TECHNICAL CORRECTION RELATING TO THE ENHANCED HIPC INITIATIVE

SEC. 596. Section 1625(a)(1)(B)(ii) of the International Financial Institutions Act (as added by section 501 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25)) is amended by striking "subparagraph (A)" and inserting "clause (i)".

INDONESIA

SEC. 597. (a) Funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for

assistance for Indonesia, and licenses may be issued for the export of lethal defense articles for the Indonesian Armed Forces, only if the President certifies to the appropriate congressional committees that—

(1) the Indonesia Minister of Defense is suspending from the Armed Forces those members, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, or to have aided or abetted militia groups;

(2) the Indonesian Government is prosecuting those members of the Indonesian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, or to have aided or abetted militia groups, and is punishing those members of the Indonesian Armed Forces found to have committed such violations of human rights or to have aided or abetted militia groups;

(3) the Indonesian Armed Forces are cooperating with civilian prosecutors and judicial authorities in Indonesia and with the joint United Nations-East Timor Serious Crimes Unit (SCU) in such cases (including extraditing those indicted by the SCU to East Timor and providing access to witnesses, relevant military documents, and other requested information); and

(4) the Minister of Defense is making publicly available audits of receipts and expenditures of the Indonesian Armed Forces.

(b) Congress notes that the Indonesian Government and Armed Forces have pledged to cooperate with the Federal Bureau of Investigation with respect to its investigation into the August 31, 2002, murders of two American citizens and one Indonesian citizen in Timika, Indonesia. Therefore, funds appropriated under the heading "INTERNATIONAL MILITARY EDUCATION AND TRAINING" may be made available for Indonesia if the Secretary of State determines and reports to the appropriate congressional committees that the Indonesian Government and Armed Forces are cooperating with the Federal Bureau of Investigation's investigation: Provided, That this restriction shall not apply to expanded international military education and training, which may include English language training.

RELIGIOUS FREEDOM REPORT

SEC. 598. The assessment and description of violations of religious freedom contained in the report required by section 102(b)(1)(B) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412 (b)(1)(B)) shall include a description of persecution targeted at specific religions, including acts of anti-Semitism, by individuals or organizations designated as terrorist organizations by the Secretary of State under section 219 of the Immigration and Nationality Act, as amended.

DELIVERY OF ASSISTANCE BY AIR

SEC. 599A. The Secretary of State and the Administrator of the United States Agency for International Development shall seek to ensure that, where appropriate, dedicated air service is provided for transportation to areas where scheduled air service is not adequate to meet assistance requirements on a timely basis: Provided, That to the maximum extent practicable and in a manner consistent with

the use of full and open competition (as that term is defined in section 4(6) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(6)), contracts for such dedicated air service shall be entered into with United States air carriers.

MODIFICATION ON REPORTING REQUIREMENTS

SEC. 599B. (a) Section 3204(f) of the Emergency Supplemental Act, 2000 (Public Law 106–246) is amended—

(1) in the heading, by striking "BIMONTHLY" and inserting "QUARTERLY";

(2) by striking "60" and inserting "90"; and

(3) by striking "Congress" and inserting "the appropriate congressional committees";

(b) The report required by sections 3204(e) of the Emergency Supplemental Act, 2000 (Public Law 106–246) is amended by striking "Congress" and inserting "the appropriate congressional committees";

(c) Subsection (a) of section 803 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, Appendix A of Public Law 106–429 (as enacted by section 101(a) of such Public Law) is hereby repealed.

CPA DETAILEES

SEC. 599C. The Office of Personnel Management shall provide the House and Senate Committees on Appropriations a report of the number of Federal employees detailed from each executive agency to the Coalition Provisional Authority in Iraq on the date of enactment of this Act: Provided, That the report shall identify by agency the number of non-reimbursable and reimbursable detailees and shall be submitted to the House and Senate Committees on Appropriations by February 1, 2004: Provided further, That the report shall be updated and submitted on a quarterly basis until May, 2005.

TITLE VI—MILLENNIUM CHALLENGE ACT OF 2003

SEC. 601. SHORT TITLE.

This title may be cited as the "Millennium Challenge Act of 2003".

SEC. 602. PURPOSES.

The purposes of this title are—

(1) to provide United States assistance for global development through the Millennium Challenge Corporation, as described in section 604; and

(2) to provide such assistance in a manner that promotes economic growth and the elimination of extreme poverty and strengthens good governance, economic freedom, and investments in people.

SEC. 603. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) BOARD.—The term "Board" means the Board of Directors of the Corporation established pursuant to section 604(c).

(3) CANDIDATE COUNTRY.—The term "candidate country" means a country that meets the requirements of section 606.

(4) CHIEF EXECUTIVE OFFICER.—The term "Chief Executive Officer" means the chief executive officer of the Corporation appointed pursuant to section 604(b).

(5) COMPACT.—The term "Compact" means a Millennium Challenge Compact described in section 609.

(6) CORPORATION.—The term "Corporation" means the Millennium Challenge Corporation established by section 604(a).

(7) ELIGIBLE COUNTRY.—The term "eligible country" means a candidate country that is determined, under section 607, to be an eligible country to receive assistance under section 605.

SEC. 604. ESTABLISHMENT AND MANAGEMENT OF THE MILLENNIUM CHALLENGE CORPORATION.

(a) ESTABLISHMENT.—There is established in the executive branch a corporation to be known as the "Millennium Challenge Corporation" that shall be responsible for carrying out this title. The Corporation shall be a government corporation, as defined in section 103 of title 5, United States Code.

(b) CHIEF EXECUTIVE OFFICER.—

(1) IN GENERAL.—There shall be in the Corporation a Chief Executive Officer who shall be responsible for the management of the Corporation.

(2) APPOINTMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Chief Executive Officer shall be appointed by the President, by and with the advice and consent of the Senate.

(B) INTERIM CEO.—The members of the Board of Directors described in subsection (c)(3)(A) may designate by unanimous consent in writing an individual who is an officer within any Federal department or agency (and who has been appointed to such position by the President, by and with the advice and consent of the Senate) to carry out the duties described in this subsection until the Chief Executive Officer is appointed pursuant to subparagraph (A).

(3) RELATIONSHIP TO BOARD.—The Chief Executive Officer shall report to and be under the direct authority of the Board.

(4) COMPENSATION AND RANK.—

(A) IN GENERAL.—The Chief Executive Officer shall be compensated at the rate provided for level II of the Executive Schedule under section 5313 of title 5, United States Code, and shall have the equivalent rank of Deputy Secretary.

(B) AMENDMENT.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

"Chief Executive Officer, Millennium Challenge Corporation.".

(5) AUTHORITIES AND DUTIES.—The Chief Executive Officer shall be responsible for the management of the Corporation and

shall exercise the powers and discharge the duties of the Corporation.

(6) AUTHORITY TO APPOINT OFFICERS.—In consultation and with approval of the Board, the Chief Executive Officer shall appoint all officers of the Corporation.

(c) BOARD OF DIRECTORS.—

(1) ESTABLISHMENT.—There shall be in the Corporation a Board of Directors.

(2) DUTIES.—The Board shall perform the functions specified to be carried out by the Board in this title and may prescribe, amend, and repeal bylaws, rules, regulations, and procedures governing the manner in which the business of the Corporation may be conducted and in which the powers granted to it by law may be exercised.

(3) MEMBERSHIP.—The Board shall consist of—

(A) the Secretary of State, the Secretary of the Treasury, the Administrator of the United States Agency for International Development, the Chief Executive Officer of the Corporation, and the United States Trade Representative; and

(B) four other individuals with relevant international experience who shall be appointed by the President, by and with the advice and consent of the Senate, of which—

(i) one individual should be appointed from among a list of individuals submitted by the majority leader of the House of Representatives;

(ii) one individual should be appointed from among a list of individuals submitted by the minority leader of the House of Representatives;

(iii) one individual should be appointed from among a list of individuals submitted by the majority leader of the Senate; and

(iv) one individual should be appointed from among a list of individuals submitted by the minority leader of the Senate.

(4) TERMS.—

(A) OFFICERS OF THE FEDERAL GOVERNMENT.—Each member of the Board described in paragraph (3)(A) shall serve for a term that is concurrent with the term of service of the individual's position as an officer within the other Federal department or agency.

(B) OTHER MEMBERS.—Each member of the Board described in paragraph (3)(B) shall be appointed for a term of 3 years and may be reappointed for a term of an additional 2 years.

(C) VACANCIES.—A vacancy in the Board shall be filled in the manner in which the original appointment was made.

(5) CHAIRPERSON.—There shall be a Chairperson of the Board. The Secretary of State shall serve as the Chairperson.

(6) QUORUM.—A majority of the members of the Board shall constitute a quorum, which, except with respect to a meeting of the Board during the 135-day period beginning on the date of the enactment of this Act, shall include at least one member of the Board described in paragraph (3)(B).

(7) MEETINGS.—The Board shall meet at the call of the Chairperson.

(8) COMPENSATION.—

(A) OFFICERS OF THE FEDERAL GOVERNMENT.—

(i) IN GENERAL.—A member of the Board described in paragraph (3)(A) may not receive additional pay, allowances, or benefits by reason of the member's service on the Board.

(ii) TRAVEL EXPENSES.—Each such member of the Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(B) OTHER MEMBERS.—

(i) IN GENERAL.—Except as provided in clause (ii), a member of the Board described in paragraph (3)(B)—

(I) shall be paid compensation out of funds made available for the purposes of this title at the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties as a member of the Board; and

(II) while away from the member's home or regular place of business on necessary travel in the actual performance of duties as a member of the Board, shall be paid per diem, travel, and transportation expenses in the same manner as is provided under subchapter I of chapter 57 of title 5, United States Code.

(ii) LIMITATION.—A member of the Board may not be paid compensation under clause (i)(II) for more than 90 days in any calendar year.

SEC. 605. AUTHORIZATION OF ASSISTANCE.

(a) ASSISTANCE.—Notwithstanding any other provision of law (other than a provision of this title), the Board, acting through the Chief Executive Officer, is authorized to provide assistance under this section for each country that enters into a Millennium Challenge Compact with the United States pursuant to section 609 to support policies and programs that advance the progress of the country in achieving lasting economic growth and poverty reduction and are in furtherance of the purposes of this title.

(b) FORM OF ASSISTANCE.—Assistance under this section may be provided in the form of grants, cooperative agreements, or contracts to or with eligible entities described in subsection (c). Assistance under this section may not be provided in the form of loans.

(c) ELIGIBLE ENTITIES.—An eligible entity referred to in subsection (b) is—

(1) the national government of the eligible country;

(2) regional or local governmental units of the country; or

(3) a nongovernmental organization or a private entity.

(d) APPLICATION.—The Chief Executive Officer, in consultation with the Board and working with eligible countries selected by the Board for negotiation of Compacts, should develop and recommend

procedures for considering solicited and unsolicited proposals in Compacts prior to an approval of the Compacts by the Board.

(e) LIMITATIONS.—

(1) PROHIBITION ON MILITARY ASSISTANCE AND TRAINING.—Assistance under this section may not include military assistance or military training for a country.

(2) PROHIBITION ON ASSISTANCE RELATING TO UNITED STATES JOB LOSS OR PRODUCTION DISPLACEMENT.—Assistance under this section may not be provided for any project that is likely to cause a substantial loss of United States jobs or a substantial displacement of United States production.

(3) PROHIBITION ON ASSISTANCE RELATING TO ENVIRONMENTAL, HEALTH, OR SAFETY HAZARDS.—Assistance under this section may not be provided for any project that is likely to cause a significant environmental, health, or safety hazard.

(4) PROHIBITION ON USE OF FUNDS FOR ABORTIONS AND INVOLUNTARY STERILIZATIONS.—The prohibitions on use of funds contained in paragraphs (1) through (3) of section 104(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(f)(1)–(3)) shall apply to funds made available to carry out this section to the same extent and in the same manner as such prohibitions apply to funds made available to carry out part I of such Act. The prohibition on use of funds contained in any provision of law comparable to the eleventh and fourteenth provisos under the heading "Child Survival and Health Programs Fund" of division E of Public Law 108–7 (117 Stat. 162) shall apply to funds made available to carry out this section for fiscal year 2004.

(f) COORDINATION.—The provision of assistance under this section shall be coordinated with other United States foreign assistance programs.

SEC. 606. CANDIDATE COUNTRIES.

(a) LOW INCOME COUNTRIES.—

(1) FISCAL YEAR 2004.—A country shall be a candidate country for purposes of eligibility for assistance for fiscal year 2004 if—

(A) the country is eligible for assistance from the International Development Association, and the per capita income of the country is equal to or less than the historical ceiling of the International Development Association for that year, as defined by the International Bank for Reconstruction and Development; and

(B) subject to paragraph (3), the country is not ineligible to receive United States economic assistance under part I of the Foreign Assistance Act of 1961 by reason of the application of any provision of the Foreign Assistance Act of 1961 or any other provision of law.

(2) FISCAL YEAR 2005 AND SUBSEQUENT FISCAL YEARS.—A country shall be a candidate country for purposes of eligibility for assistance for fiscal year 2005 or a subsequent fiscal year if—

(A) the per capita income of the country is equal to or less than the historical ceiling of the International Development Association for the fiscal year involved, as defined by the International Bank for Reconstruction and Development; and

(B) the country meets the requirements of paragraph (1)(B).

(3) RULE OF CONSTRUCTION.—For the purposes of determining whether a country is eligible for receiving assistance under section 605 pursuant to paragraph (1)(B), the exercise by the President, the Secretary of State, or any other officer or employee of the United States of any waiver or suspension of any provision of law referred to in such paragraph, and notification to the appropriate congressional committees in accordance with such provision of law, shall be construed as satisfying the requirement of such paragraph.

(b) LOWER MIDDLE INCOME COUNTRIES.—

(1) IN GENERAL.—In addition to countries described in subsection (a), a country shall be a candidate country for purposes of eligibility for assistance for fiscal year 2006 or a subsequent fiscal year if the country—

(A) is classified as a lower middle income country in the then most recent edition of the World Development Report for Reconstruction and Development published by the International Bank for Reconstruction and Development and has an income greater than the historical ceiling for International Development Association eligibility for the fiscal year involved; and

(B) meets the requirements of subsection (a)(1)(B).

(2) LIMITATION.—The total amount of assistance provided to countries described in paragraph (1) for fiscal year 2006 or any subsequent fiscal year may not exceed 25 percent of the total amount of assistance provided to all countries under section 605 for fiscal year 2006 or the subsequent fiscal year, as the case may be.

(c) IDENTIFICATION BY THE BOARD.—The Board shall identify whether a country is a candidate country for purposes of this section.

SEC. 607. ELIGIBLE COUNTRIES.

(a) DETERMINATION BY THE BOARD.—The Board shall determine whether a candidate country is an eligible country for purposes of this section. Such determination shall be based, to the maximum extent possible, upon objective and quantifiable indicators of a country's demonstrated commitment to the criteria in subsection (b), and shall, where appropriate, take into account and assess the role of women and girls.

(b) CRITERIA.—A candidate country should be considered to be an eligible country for purposes of this section if the Board determines that the country has demonstrated a commitment to—

(1) just and democratic governance, including a demonstrated commitment to—

(A) promote political pluralism, equality, and the rule of law;

(B) respect human and civil rights, including the rights of people with disabilities;

(C) protect private property rights;

(D) encourage transparency and accountability of government; and

(E) combat corruption;

(2) economic freedom, including a demonstrated commitment to economic policies that—

(A) encourage citizens and firms to participate in global trade and international capital markets;

(B) promote private sector growth and the sustainable management of natural resources;

(C) strengthen market forces in the economy; and

(D) respect worker rights, including the right to form labor unions; and

(3) investments in the people of such country, particularly women and children, including programs that—

(A) promote broad-based primary education; and

(B) strengthen and build capacity to provide quality public health and reduce child mortality.

(c) SELECTION BY THE BOARD.—

(1) IN GENERAL.—At the time the Board determines eligible countries under this section for a fiscal year, the Board shall select those eligible countries with respect to which the United States will initially seek to enter into a Millennium Challenge Compact pursuant to section 609.

(2) FACTORS.—In selecting eligible countries under paragraph (1), the Board shall consider the following factors:

(A) The extent to which the country clearly meets or exceeds the eligibility criteria.

(B) The opportunity to reduce poverty and generate economic growth in the country.

(C) The availability of amounts to carry out this title.

(d) ESTABLISHMENT OF CRITERIA AND METHODOLOGY.—The criteria and methodology submitted by the Board to Congress and published in the Federal Register under section 608(b)(2) with respect to a fiscal year shall remain fixed for purposes of eligibility determinations for such year.

(e) ANNUAL MODIFICATION OF CRITERIA AND METHODOLOGY.—As appropriate, the Board, acting through the Chief Executive Officer, shall review the eligibility criteria and methodology and modify such criteria and methodology in subsequent years consistent with section 608(b).

SEC. 608. CONGRESSIONAL AND PUBLIC NOTIFICATION OF CANDIDATE COUNTRIES, ELIGIBILITY CRITERIA, AND ELIGIBLE COUNTRIES.

(a) IDENTIFICATION OF CANDIDATE COUNTRIES.—Not later than 90 days prior to the date on which the Board determines eligible countries under section 607 for a fiscal year, the Chief Executive Officer—

(1) shall prepare and submit to the appropriate congressional committees a report that contains a list of all candidate countries identified under section 606, and all countries that would be candidate countries if the countries met the requirement contained in section 606(a)(1)(B), for the fiscal year; and

(2) shall publish in the Federal Register the information contained in the report described in paragraph (1).

(b) IDENTIFICATION OF ELIGIBILITY CRITERIA AND METHODOLOGY.—Not later than 60 days prior to the date on which the Board determines eligible countries under section 607 for a fiscal year, the Chief Executive Officer—

(1) shall prepare and submit to the appropriate congressional committees a report that contains a list of the criteria and methodology described in subsections (a) and (b) of section 607 that will be used to determine eligibility for each candidate country identified under subsection (a);

(2) shall publish in the Federal Register the information contained in the report described in paragraph (1); and

(3) may conduct one or more public hearings on the eligibility criteria and methodology.

(c) PUBLIC COMMENT AND CONGRESSIONAL CONSULTATION.—

(1) PUBLIC COMMENT.—The Chief Executive Officer shall, for the 30-day period beginning on the date of publication in the Federal Register of the information contained in the report described in subsection (b)(1), accept public comment and consider such comment for purposes of determining eligible countries under section 607.

(2) CONGRESSIONAL CONSULTATION.—The Chief Executive Officer shall consult with the appropriate congressional committees on the extent to which the candidate countries meet the criteria described in section 607(b).

(d) IDENTIFICATION OF ELIGIBLE COUNTRIES.—Not later than 5 days after the date on which the Board determines eligible countries under section 607 for a fiscal year, the Chief Executive Officer—

(1) shall prepare and submit to the appropriate congressional committees a report that contains a list of all such eligible countries, an identification of those countries on such list with respect to which the Board will seek to enter into a Compact under section 609, and a justification for such eligibility determination and selection for Compact negotiation; and

(2) shall publish in the Federal Register the information contained in the report described in paragraph (1).

SEC. 609. MILLENNIUM CHALLENGE COMPACT.

(a) COMPACT.—The Board, acting through the Chief Executive Officer of the Corporation, may provide assistance for an eligible country only if the country enters into an agreement with the United States, to be known as a "Millennium Challenge Compact", that establishes a multi-year plan for achieving shared development objectives in furtherance of the purposes of this title.

(b) ELEMENTS.—

(1) IN GENERAL.—The Compact should take into account the national development strategy of the eligible country and shall contain—

(A) the specific objectives that the country and the United States expect to achieve during the term of the Compact;

(B) the responsibilities of the country and the United States in the achievement of such objectives;

(C) regular benchmarks to measure, where appropriate, progress toward achieving such objectives;

(D) an identification of the intended beneficiaries, disaggregated by income level, gender, and age, to the maximum extent practicable;

(E) a multi-year financial plan, including the estimated amount of contributions by the Corporation and the country and proposed mechanisms to implement the plan

and provide oversight, that describes how the requirements of subparagraphs (A) through (D) will be met, including identifying the role of civil society in the achievement of such requirements;

(F) where appropriate, a description of the current and potential participation of other donors in the achievement of such objectives;

(G) a plan to ensure appropriate fiscal accountability for the use of assistance provided under section 605;

(H) where appropriate, a process or processes for consideration of solicited proposals under the Compact as well as a process for consideration of unsolicited proposals by the Corporation and national, regional, or local units of government;

(I) a requirement that open, fair, and competitive procedures are used in a transparent manner in the administration of grants or cooperative agreements or the procurement of goods and services for the accomplishment of objectives under the Compact;

(J) the strategy of the eligible country to sustain progress made toward achieving such objectives after expiration of the Compact; and

(K) a description of the role of the United States Agency for International Development in any design, implementation, and monitoring of programs and activities funded under the Compact.

(2) LOWER MIDDLE INCOME COUNTRIES.—In addition to the elements described in subparagraphs (A) through (K) of paragraph (1), with respect to a lower middle income country described in section 606(b), the Compact shall identify a contribution, as appropriate, from the country relative to its national budget, taking into account the prevailing economic conditions, toward meeting the objectives of the Compact. Any such contribution should be in addition to government spending allocated for such purposes in the country's budget for the year immediately preceding the establishment of the Compact and should continue for the duration of the Compact.

(3) DEFINITION.—In this subsection, the term "national development strategy" means any strategy to achieve market-driven economic growth and eliminate extreme poverty that has been developed by the government of the country in consultation with a wide variety of civic participation, including nongovernmental organizations, private and voluntary organizations, academia, women's and student organizations, local trade and labor unions, and the business community.

(c) ADDITIONAL PROVISION RELATING TO PROHIBITION ON TAXATION.—In addition to the elements described in subsection (c), each Compact shall contain a provision that states that assistance provided by the United States under the Compact shall be exempt from taxation by the government of the eligible country.

(d) LOCAL INPUT.—In entering into a Compact, the United States shall seek to ensure that the government of an eligible country—

(1) takes into account the local-level perspectives of the rural and urban poor, including women, in the eligible country; and

(2) consults with private and voluntary organizations, the business community, and other donors in the eligible country.

(e) CONSULTATION.—During any discussions with a country for the purpose of entering into a Compact with the country, officials of the Corporation participating in such discussions shall, at a minimum, consult with appropriate officials of the United States Agency for International Development, particularly with those officials responsible for the appropriate region or country on development issues related to the Compact.

(f) COORDINATION WITH OTHER DONORS.—To the maximum extent feasible, activities undertaken to achieve the objectives of the Compact shall be undertaken in coordination with the assistance activities of other donors.

(g) ASSISTANCE FOR DEVELOPMENT OF COMPACT.—Notwithstanding subsection (a), the Chief Executive Officer may enter into contracts or make grants for any eligible country for the purpose of facilitating the development and implementation of the Compact between the United States and the country.

(h) REQUIREMENT FOR APPROVAL BY THE BOARD.—Each Compact shall be approved by the Board before the United States enters into the Compact.

(i) INCREASE OR EXTENSION OF ASSISTANCE UNDER A COMPACT.—Not later than 15 days after making a determination to increase or extend assistance under a Compact with an eligible country, the Board, acting through the Chief Executive Officer—

(1) shall prepare and transmit to the appropriate congressional committees a written report and justification that contains a detailed summary of the proposed increase in or extension of assistance under the Compact and a copy of the full text of the amendment to the Compact; and

(2) shall publish a detailed summary, full text, and justification of the proposed increase in or extension of assistance under the Compact in the Federal Register and on the Internet website of the Corporation.

(j) DURATION OF COMPACT.—The duration of a Compact shall not exceed 5 years.

(k) SUBSEQUENT COMPACTS.—An eligible country and the United States may enter into and have in effect only one Compact at any given time under this section. An eligible country and the United States may enter into one or more subsequent Compacts in accordance with the requirements of this title after the expiration of the existing Compact.

SEC. 610. CONGRESSIONAL AND PUBLIC NOTIFICATION OF COMPACT.

(a) CONGRESSIONAL CONSULTATION PRIOR TO COMPACT NEGOTIATIONS.—Not later than 15 days prior to the start of negotiations of a Compact with an eligible country, the Board, acting through the Chief Executive Officer—

(1) shall consult with the appropriate congressional committees with respect to the proposed Compact negotiation; and

(2) shall identify the objectives and mechanisms to be used for the negotiation of the Compact.

(b) CONGRESSIONAL AND PUBLIC NOTIFICATION AFTER ENTERING INTO A COMPACT.—Not later than 10 days after entering into a Compact with an eligible country, the Board, acting through the Chief Executive Officer—

(1) shall provide notification of the Compact to the appropriate congressional committees, including a detailed summary of the Compact and a copy of the text of the Compact; and

(2) shall publish such detailed summary and the text of the Compact in the Federal Register and on the Internet website of the Corporation.

SEC. 611. SUSPENSION AND TERMINATION OF ASSISTANCE.

(a) SUSPENSION AND TERMINATION OF ASSISTANCE.—After consultation with the Board, the Chief Executive Officer may suspend or terminate assistance in whole or in part for a country or entity under section 605 if the Chief Executive Officer determines that—

(1) the country or entity is engaged in activities which are contrary to the national security interests of the United States;

(2) the country or entity has engaged in a pattern of actions inconsistent with the criteria used to determine the eligibility of the country or entity, as the case may be; or

(3) the country or entity has failed to adhere to its responsibilities under the Compact.

(b) REINSTATEMENT.—The Chief Executive Officer may reinstate assistance for a country or entity under section 605 only if the Chief Executive Officer determines that the country or entity has demonstrated a commitment to correcting each condition for which assistance was suspended or terminated under subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—Not later than 3 days after the date on which the Chief Executive Officer suspends or terminates assistance under subsection (a) for a country or entity, or reinstates assistance under subsection (b) for a country or entity, the Chief Executive Officer shall submit to the appropriate congressional committees a report that contains the determination of the Chief Executive Officer under subsection (a) or subsection (b), as the case may be.

(d) RULE OF CONSTRUCTION.—The authority to suspend or terminate assistance under this section includes the authority to suspend or terminate obligations and sub-obligations.

SEC. 612. DISCLOSURE.

(a) REQUIREMENT FOR DISCLOSURE.—The Corporation shall make available to the public on at least a quarterly basis, the following information:

(1) For assistance provided under section 605—

(A) the name of each entity to which assistance is provided;

(B) the amount of assistance provided to the entity; and

(C) a description of the program or project, including—

(i) a description of whether the program or project was solicited or unsolicited; and

(ii) a detailed description of the objectives and measures for results of the program or project.

(2) For funds allocated or transferred under section 619(b)—

(A) the name of each United States Government agency to which such funds are transferred or allocated;

(B) the amount of funds transferred or allocated to such agency; and

(C) a description of the program or project to be carried out by such agency with such funds.

(b) DISSEMINATION.—The information required to be disclosed under subsection (a) shall be made available to the public by means of publication in the Federal Register and on the Internet website of the Corporation, as well as by any other methods that the Board determines appropriate.

SEC. 613. ANNUAL REPORT.

(a) REPORT.—Not later than March 31, 2005, and each March 31 thereafter, the President shall submit to Congress a report on the assistance provided under section 605 during the prior fiscal year.

(b) CONTENTS.—The report shall include the following:

(1) The amount of obligations and expenditures for assistance provided to each eligible country during the prior fiscal year.

(2) For each eligible country, an assessment of—

(A) the progress made during each year by the country toward achieving the objectives set out in the Compact entered into by the country; and

(B) the extent to which assistance provided under section 605 has been effective in helping the country to achieve such objectives.

(3) A description of the coordination of assistance provided under section 605 with other United States foreign assistance and related trade policies.

(4) A description of the coordination of assistance provided under section 605 with assistance provided by other donor countries.

(5) Any other information the President considers relevant with respect to assistance provided under section 605.

SEC. 614. POWERS OF THE CORPORATION; RELATED PROVISIONS.

(a) POWERS.—The Corporation—

(1) shall have perpetual succession unless dissolved by a law enacted after the date of the enactment of this Act;

(2) may adopt, alter, and use a seal, which shall be judicially noticed;

(3) may make and perform such contracts, grants, and other agreements with any person or government however designated and wherever situated, as may be necessary for carrying out the functions of the Corporation;

(4) may determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid, including expenses for representation;

(5) may lease, purchase, or otherwise acquire, improve, and use such real property wherever situated, as may be necessary for carrying out the functions of the Corporation;

(6) may accept cash gifts or donations of services or of property (real, personal, or mixed), tangible or intangible, for the purpose of carrying out the provisions of this title;

(7) may use the United States mails in the same manner and on the same conditions as the Executive departments;

(8) may contract with individuals for personal services, who shall not be considered Federal employees for any provision of law administered by the Office of Personnel Management;

(9) may hire or obtain passenger motor vehicles; and

(10) shall have such other powers as may be necessary and incident to carrying out this title.

(b) PRINCIPAL OFFICE.—The Corporation shall maintain its principal office in the metropolitan area of Washington, District of Columbia.

(c) POSITIONS WITH FOREIGN GOVERNMENTS.—When approved by the Chief Executive Officer, for purposes of implementing a Compact, employees of the Corporation (including individuals detailed to the Corporation) may accept and hold offices or positions to which no compensation is attached with governments or governmental agencies of foreign countries or with international organizations.

(d) OTHER AUTHORITIES.—Except to the extent inconsistent with the provisions of this title, the administrative authorities contained in the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) shall apply to the implementation of this title to the same extent and in the same manner as such authorities apply to the implementation of those Acts.

(e) APPLICABILITY OF GOVERNMENT CORPORATION CONTROL ACT.—

(1) IN GENERAL.—The Corporation shall be subject to chapter 91 of subtitle VI of title 31, United States Code, except that the Corporation shall not be authorized to issue obligations or offer obligations to the public.

(2) CONFORMING AMENDMENT.—Section 9101(3) of title 31, United States Code, is amended by adding at the end the following:

"(Q) the Millennium Challenge Corporation.".

(f) INSPECTOR GENERAL.—

(1) IN GENERAL.—The Inspector General of the United States Agency for International Development shall serve as Inspector General of the Corporation, and, in acting in such capacity, may conduct reviews, investigations, and inspections of all aspects of the operations and activities of the Corporation.

(2) AUTHORITY OF THE BOARD.—In carrying out the responsibilities under this subsection, the Inspector General shall report to and be under the general supervision of the Board.

(3) REIMBURSEMENT AND AUTHORIZATION OF SERVICES.—

(A) REIMBURSEMENT.—The Corporation shall reimburse the United States Agency for International Development for all expenses incurred by the Inspector General in connection with the Inspector General's responsibilities under this subsection.

(B) AUTHORIZATION FOR SERVICES.—Of the amount authorized to be appropriated under section 619(a) for a fiscal year, up to $5,000,000 is authorized to be made available to the Inspector General of the United States Agency for

International Development to conduct reviews, investigations, and inspections of operations and activities of the Corporation.

(g) SPECIAL ASSISTANCE.—

(1) IN GENERAL.—The Chief Executive Officer is authorized to contract with any nongovernmental organization (including a university, independent foundation, or other organization) in the United States or in a candidate country, and, where appropriate, directly with a governmental agency of any such country, that is undertaking research aimed at improving data related to eligibility criteria under this title with respect to the country.

(2) FUNDING.—Of the amount authorized to be appropriated under section 619(a) for a fiscal year, up to $5,000,000 is authorized to be made available to carry out paragraph (1).

SEC. 615. COORDINATION WITH UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) REQUIREMENT FOR COORDINATION.—The Chief Executive Officer shall consult with the Administrator of the United States Agency for International Development in order to coordinate the activities of the Corporation with the activities of the Agency.

(b) USAID PROGRAMS.—The Administrator of the United States Agency for International Development shall seek to ensure that appropriate programs of the Agency play a primary role in preparing candidate countries to become eligible countries.

SEC. 616. ASSISTANCE TO CERTAIN CANDIDATE COUNTRIES.

(a) AUTHORIZATION.—The Board, acting through the Chief Executive Officer, is authorized to provide assistance to a candidate country described in subsection (b) for the purpose of assisting such country to become an eligible country.

(b) CANDIDATE COUNTRY DESCRIBED.—A candidate country referred to in subsection (a) is a candidate country that—

(1) satisfies the requirements contained in subparagraphs (A) and (B) of section 606(a)(1); and

(2) demonstrates a significant commitment to meet the requirements of section 607(b) but fails to meet such requirements (including by reason of the absence or unreliability of data).

(c) ADMINISTRATION.—Assistance under this section may be provided through the United States Agency for International Development.

(d) FUNDING.—Not more than 10 percent of the amount appropriated pursuant to the authorization of appropriations under section 619(a) for fiscal year 2004 is authorized to be made available to carry out this section.

SEC. 617. GENERAL PERSONNEL AUTHORITIES.

(a) DETAIL OF PERSONNEL.—Upon request of the Chief Executive Officer, the head of an agency may detail any employee of such agency to the Corporation on a reimbursable basis. Any employee so detailed remains, for the purpose of preserving such employee's allowances, privileges, rights, seniority, and other benefits, an employee of the agency from which detailed.

(b) REEMPLOYMENT RIGHTS.—

(1) IN GENERAL.—An employee of an agency who is serving under a career or career conditional appointment (or the equiv-

alent), and who, with the consent of the head of such agency, transfers to the Corporation, is entitled to be reemployed in such employee's former position or a position of like seniority, status, and pay in such agency, if such employee—

(A) is separated from the Corporation for any reason, other than misconduct, neglect of duty, or malfeasance; and

(B) applies for reemployment not later than 90 days after the date of separation from the Corporation.

(2) SPECIFIC RIGHTS.—An employee who satisfies paragraph (1) is entitled to be reemployed (in accordance with such paragraph) within 30 days after applying for reemployment and, on reemployment, is entitled to at least the rate of basic pay to which such employee would have been entitled had such employee never transferred.

(c) HIRING AUTHORITY.—Of persons employed by the Corporation, not to exceed 30 persons may be appointed, compensated, or removed without regard to the civil service laws and regulations.

(d) BASIC PAY.—The Chief Executive Officer may fix the rate of basic pay of employees of the Corporation without regard to the provisions of chapter 51 of title 5, United States Code (relating to the classification of positions), subchapter III of chapter 53 of such title (relating to General Schedule pay rates), except that no employee of the Corporation may receive a rate of basic pay that exceeds the rate for level II of the Executive Schedule under section 5313 of such title.

(e) DEFINITIONS.—In this section—

(1) the term "agency" means an Executive agency, as defined by section 105 of title 5, United States Code; and

(2) the term "detail" means the assignment or loan of an employee, without a change of position, from the agency by which such employee is employed to the Corporation.

SEC. 618. PERSONNEL OUTSIDE THE UNITED STATES.

(a) ASSIGNMENT TO UNITED STATES EMBASSIES.—An employee of the Corporation, including an individual detailed to or contracted by the Corporation, may be assigned to a United States diplomatic mission or consular post or a United States Agency for International Development field mission.

(b) PRIVILEGES AND IMMUNITIES.—The Secretary of State shall seek to ensure that an employee of the Corporation, including an individual detailed to or contracted by the Corporation, and the members of the family of such employee, while the employee is performing duties in any country or place outside the United States, enjoy the privileges and immunities that are enjoyed by a member of the Foreign Service, or the family of a member of the Foreign Service, as appropriate, of comparable rank and salary of such employee, if such employee or a member of the family of such employee is not a national of or permanently resident in such country or place.

(c) RESPONSIBILITY OF CHIEF OF MISSION.—An employee of the Corporation, including an individual detailed to or contracted by the Corporation, and a member of the family of such employee, shall be subject to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) in the same manner as United States Government employees while the employee is performing duties in any country or place outside the United States if such employee or member of the

family of such employee is not a national of or permanently resident in such country or place.

SEC. 619. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this title such sums as may be necessary for each of the fiscal years 2004 and 2005.

(b) ALLOCATION OF FUNDS.—

(1) IN GENERAL.—The Corporation may allocate or transfer to any agency of the United States Government any of the funds available for carrying out this title. Such funds shall be available for obligation and expenditure for the purposes for which the funds were authorized, in accordance with authority granted in this title or under authority governing the activities of the United States Government agency to which such funds are allocated or transferred.

(2) NOTIFICATION.—The Corporation shall notify the appropriate congressional committees not less than 15 days prior to an allocation or transfer of funds pursuant to paragraph (1).

This division may be cited as the "Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004".

DIVISION E—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS, 2004

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Investment Act of 1998, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act of 1998; $2,697,654,000 plus reimbursements, of which $1,666,473,000 is available for obligation for the period July 1, 2004 through June 30, 2005; except that amounts determined by the Secretary of Labor to be necessary pursuant to sections 173(a)(4)(A) and 174(c) of such Act shall be available from October 1, 2003 until expended; of which $1,000,965,000 is available for obligation for the period April 1, 2004 through June 30, 2005, to carry out chapter 4 of the Workforce Investment Act of 1998; and of which $30,216,000 is available for the period July 1, 2004 through June 30, 2007 for necessary expenses of construction,

rehabilitation, and acquisition of Job Corps centers: Provided, That notwithstanding any other provision of law, of the funds provided herein under section 137(c) of the Workforce Investment Act of 1998, $276,608,000 shall be for activities described in section 132(a)(2)(A) of such Act and $1,180,152,000 shall be for activities described in section 132(a)(2)(B) of such Act: Provided further, That funds provided to carry out section 132(a)(2)(A) of the Workforce Investment Act may be used to provide assistance to a State for state-wide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: Provided further, That $9,039,000 shall be for carrying out section 172 of the Workforce Investment Act of 1998: Provided further, That, notwithstanding any other provision of law or related regulation, $77,330,000 shall be for carrying out section 167 of the Workforce Investment Act of 1998, including $72,213,000 for formula grants, $4,610,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $507,000 for other discretionary purposes: Provided further, That notwithstanding the transfer limitation under section 133(b)(4) of such Act, up to 30 percent of such funds may be transferred by a local board if approved by the Governor: Provided further, That funds provided to carry out section 171(d) of the Workforce Investment Act of 1998 may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That funding provided to carry out projects under section 171 of the Workforce Investment Act of 1998 that are identified in the Conference Agreement, shall not be subject to the requirements of section 171(b)(2)(B) of such Act, the requirements of section 171(c)(4)(D) of such Act, the joint funding requirements of sections 171(b)(2)(A) and 171(c)(4)(A) of such Act, or any time limit requirements of sections 171(b)(2)(C) and 171(c)(4)(B) of such Act: Provided further, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

For necessary expenses of the Workforce Investment Act of 1998, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act of 1998; $2,463,000,000 plus reimbursements, of which $2,363,000,000 is available for obligation for the period October 1, 2004 through June 30, 2005, and of which $100,000,000 is available for the period October 1, 2004 through June 30, 2007, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965, as amended, $441,253,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I and section 246; and for training, allowances for job search and relocation, and related

State administrative expenses under part II of chapter 2, title II of the Trade Act of 1974 (including the benefits and services described under sections 123(c)(2) and 151(b) and (c) of the Trade Adjustment Assistance Reform Act of 2002, Public Law 107–210), $1,338,200,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $142,520,000, together with not to exceed $3,466,861,000 (including not to exceed $1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980), which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund including the cost of administering section 51 of the Internal Revenue Code of 1986, as amended, section 7(d) of the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Immigration Act of 1990, and the Immigration and Nationality Act, as amended, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502–504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, shall be available for obligation by the States through December 31, 2004, except that funds used for automation acquisitions shall be available for obligation by the States through September 30, 2006; of which $142,520,000, together with not to exceed $768,257,000 of the amount which may be expended from said trust fund, shall be available for obligation for the period July 1, 2004 through June 30, 2005, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail authorized under 39 U.S.C. 3202(a)(1)(E) made available to States in lieu of allotments for such purpose: Provided, That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 2004 is projected by the Department of Labor to exceed 3,227,000, an additional $28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance or immigration programs, may be obligated in contracts, grants or agreements with non-State entities: Provided further, That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A–87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act,

as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 2005, $467,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 2004, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $115,824,000, including $2,393,000 to administer welfare-to-work grants, together with not to exceed $57,820,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $124,962,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96–364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2004 for such Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2004 shall be available for obligations for administrative expenses in excess of $228,772,000: Provided further, That obligations in excess of such amount may be incurred after approval by the Office of Management and Budget and the Committees on Appropriations of the House and Senate.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $392,872,000, together with $2,036,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d) and 44(j) of the Longshore and Harbor Workers' Compensation Act: Provided, That $1,250,000 shall be for the development of an alternative system for the electronic submission of reports required to be

filed under the Labor-Management Reporting and Disclosure Act of 1959, as amended, and for a computer database of the information for each submission by whatever means, that is indexed and easily searchable by the public via the Internet: Provided further, That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91–0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): Provided further, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, $163,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: Provided, That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2003, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2004: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $39,315,000 shall be made available to the Secretary as follows: (1) for enhancement and maintenance of automated data processing systems and telecommunications systems, $11,618,000; (2) for automated workload processing operations, including document imaging, centralized mail intake and medical bill processing,

$14,496,000; (3) for periodic roll management and medical review, $13,201,000; and (4) the remaining funds shall be paid into the Treasury as miscellaneous receipts: Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or 33 U.S.C. 901 et seq., provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, (the "Act"), $300,000,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2005, $88,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Act, $55,074,000, to remain available until expended: Provided, That the Secretary of Labor is authorized to transfer to any executive agency with authority under the Energy Employees Occupational Illness Compensation Act, including within the Department of Labor, such sums as may be necessary in fiscal year 2004 to carry out those authorities: Provided further, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

Beginning in fiscal year 2004 and thereafter, such sums as may be necessary from the Black Lung Disability Trust Fund, to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1954, as amended; and interest on advances, as authorized by section 9501(c)(2) of that Act. In addition, the following amounts shall be available from the Fund for fiscal year 2004 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): $32,004,000 for transfer to the Employment Standards Administration, "Salaries and Expenses"; $23,401,000 for transfer to Departmental Management, "Salaries and Expenses"; $338,000 for transfer to Departmental Management, "Office of Inspector General"; and $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $460,786,000, including not to exceed $92,505,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: Provided, That, notwithstanding 31 U.S.C. 3302, the Secretary of Labor is authorized, during the fiscal year ending September 30, 2004, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That not less than $3,200,000 shall be used to extend funding for the Institutional Competency Building training grants which commenced in September 2000, for program activities for the period of September 30, 2003 to September 30, 2004, provided that a grantee has demonstrated satisfactory performance.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $270,826,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including $100,000 for an award to the Stolar Research Corporation to further develop and demonstrate electromagnetic wave detection technology, and other purposes, in Allegheny County, Pennsylvania; including $1,000,000 for an award to the National Technology Transfer Center for a coal slurry impoundment pilot project in southern West Virginia; including up to $2,000,000 for mine rescue and recovery activities; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to $1,000,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $447,088,000, together with not to exceed $75,110,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, of which $5,000,000 may be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2).

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $47,333,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral and multilateral technical assistance and other international labor activities, $48,565,000, for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy; $352,514,000; together with not to exceed $316,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund: Provided, That no funds made available by this Act may be used by the Solicitor of Labor to participate in a review in any United States court of appeals of any decision made by the Benefits Review Board under section 21 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 921) where such participation is precluded by the decision of the United States Supreme Court in Director, Office of Workers' Compensation Programs v. Newport News Shipbuilding, 115 S. Ct. 1278 (1995), notwithstanding any provisions to the contrary contained in Rule 15 of the Federal Rules of Appellate Procedure: Provided further, That no funds made available by this Act may be used by the Secretary of Labor to review a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) that has been appealed and that has been pending before the Benefits Review Board for more than 12 months: Provided further, That any such decision pending a review by the Benefits Review Board for more than 1 year shall be considered affirmed by the Benefits Review Board on the 1-year anniversary of the filing of the appeal, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: Provided further, That these provisions shall not be applicable to the review or appeal of any decision issued under the Black Lung Benefits Act (30 U.S.C. 901 et seq.): Provided further, That of the funds provided under this heading, $150,000 shall be for a grant to the International Center on Child Labor and Education.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $193,443,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and Public Law 103–353, and which shall be

available for obligation by the States through December 31, 2004, of which $2,000,000 is for the National Veterans' Employment and Training Services Institute. To carry out the Homeless Veterans Reintegration Programs (38 U.S.C. 2021) and the Veterans Workforce Investment Programs (29 U.S.C. 2913), $26,550,000 of which $7,550,000 shall be available for obligation for the period July 1, 2004 through June 30, 2005.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $60,094,000, together with not to exceed $5,730,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

WORKING CAPITAL FUND

For the acquisition of a new core accounting system for the Department of Labor, including hardware and software infrastructure and the costs associated with implementation thereof, $13,850,000.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 103. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 104. There is authorized to be appropriated such sums as may be necessary to the Denali Commission through the Department of Labor to conduct job training of the local workforce where Denali Commission projects will be constructed.

SEC. 105. Of the funds appropriated for fiscal year 1999 under section 403(a)(5)(H)(i)(II) of the Social Security Act (42 U.S.C. 603(a)(5)(H)(i)(II)) that were allotted as welfare to work formula grants to the States under section 403(a)(5)(A) of such Act (42 U.S.C. 603(a)(5)(A)), there is hereby rescinded any funds that are unexpended by the States as of the date of enactment of this section, except for such funds as the Secretary of Labor determines are necessary for States to carry out administrative activities relating to

the close out of such grants. Notwithstanding section 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5)), the Secretary of Labor may take such actions as the Secretary determines are appropriate to facilitate the orderly and equitable close out of such grants, consistent with the requirements of this section.

SEC. 106. (a) FINDINGS.—Congress finds that—

(1) it is projected that the Department of Labor, in conjunction with labor, industry, and the National Institute for Occupational Safety and Health, will be undertaking several months of testing on Personal Dust Monitor production prototypes; and

(2) the testing of Personal Dust Monitor prototypes is set to begin (by late May or early June of 2004) following the scheduled delivery of the Personal Dust Monitors in May 2004.

(b) RE-PROPOSAL OF RULE.—Following the successful demonstration of Personal Dust Monitor technology, and if the Secretary of Labor makes a determination that Personal Dust Monitors can be effectively applied in a regulatory scheme, the Secretary of Labor shall re-propose a rule on respirable coal dust which incorporates the use of Personal Dust Monitors, and, if such rule is re-proposed, the Secretary shall comply with the regular procedures applicable to Federal rulemaking.

SEC. 107. The Secretary of Labor shall transfer, without charge or consideration, to Hamilton County, Ohio all rights, title, and interest (including all federal equity) the United States holds in the real property located at 1916 Central Parkway, Cincinnati, Ohio to the extent such rights, title, or interest were acquired through grants to the State of Ohio under title III of the Social Security Act or the Wagner-Peyser Act or acquired through funds distributed to the State of Ohio under section 903 of the Social Security Act.

SEC. 108. FAIR LABOR STANDARDS ACT WOODWORKING EXEMPTION. Section 13(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(c)) is amended by adding at the end the following:

"(7)(A)(i) Subject to subparagraph (B), in the administration and enforcement of the child labor provisions of this Act, it shall not be considered oppressive child labor for a new entrant into the workforce to be employed inside or outside places of business where machinery is used to process wood products.

"(ii) In this paragraph, the term 'new entrant into the workforce' means an individual who—

"(I) is under the age of 18 and at least the age of 14, and

"(II) by statute or judicial order is exempt from compulsory school attendance beyond the eighth grade.

"(B) The employment of a new entrant into the workforce under subparagraph (A) shall be permitted—

"(i) if the entrant is supervised by an adult relative of the entrant or is supervised by an adult member of the same religious sect or division as the entrant;

"(ii) if the entrant does not operate or assist in the operation of power-driven woodworking machines;

"(iii) if the entrant is protected from wood particles or other flying debris within the workplace by a barrier appropriate to the potential hazard of such wood particles or flying debris or by maintaining a sufficient distance from machinery in operation; and

"(iv) if the entrant is required to use personal protective equipment to prevent exposure to excessive levels of noise and saw dust.".

This title may be cited as the "Department of Labor Appropriations Act, 2004".

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, IV, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V (including section 510), and sections 1128E, 711 and 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, the Native Hawaiian Health Care Act of 1988, as amended, the Cardiac Arrest Survival Act of 2000, and the Poison Control Center Enhancement and Awareness Act, $6,698,437,000, of which $367,563,000 shall be available for construction and renovation (including equipment) of health care and other facilities, abstinence education and related services, and other health-related activities as specified in the statement of the managers on the conference report accompanying this Act, and of which $39,740,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under section 1820 of such Act: Provided, That of the funds made available under this heading, $250,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: Provided further, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: Provided further, That fees collected for the full disclosure of information under the "Health Care Fraud and Abuse Data Collection Program", authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that Act: Provided further, That $25,000,000 of the funding provided for community health centers shall be used for base grant adjustments for existing centers: Provided further, That no more than $4,850,000 is available for carrying out the provisions of U.S.C. Title 42 Section 233(o) including associated administrative expenses: Provided further, That no more than $45,000,000 is available for carrying out the provisions of Public Law 104–73: Provided further, That $10,000,000 is available until expended to establish a National Cord Blood Stem Cell Bank Program as described in the statement of the managers on the conference report accompanying this Act: Provided further, That of the funds made available under this heading, $280,000,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: Provided further, That amounts provided to said projects

under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That $753,317,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: Provided further, That in addition to amounts provided herein, $25,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out Parts A, B, C, and D of title XXVI of the Public Health Service Act to fund section 2691 Special Projects of National Significance: Provided further, That notwithstanding section 502(a)(1) of the Social Security Act, not to exceed $121,130,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act: Provided further, That $70,488,000 is available for special projects of regional and national significance under section 501(a)(2) of the Social Security Act, which shall not be counted toward compliance with the allocation required in section 502(a)(1) of such Act, and which shall be used only for making competitive grants to provide abstinence education (as defined in section 510(b)(2) of such Act) to adolescents and for Federal costs of administering the grants: Provided further, That grants under the immediately preceding proviso shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which the abstinence education was provided: Provided further, That in addition to amounts provided herein for abstinence education to adolescents, $4,500,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out evaluations (including longitudinal evaluations) of adolescent pregnancy prevention approaches.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended. For administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $3,389,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed $3,222,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, XXI, and XXVI of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; including purchase and insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, $4,545,472,000, of which $262,000,000 shall remain available until expended for equipment, and construction and renovation of facilities, and of which $293,569,000 for international HIV/AIDS shall remain available until September 30, 2005, including $150,000,000, to remain available until expended for the "International Mother and Child HIV Prevention Initiative." In addition, such sums as may be derived from authorized user fees, which shall be credited to this account: Provided, That in addition to amounts provided herein, $14,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the National Immunization Surveys: Provided further, That in addition to amounts provided herein, $127,634,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the National Center for Health Statistics surveys: Provided further, That in addition to amounts provided herein, $28,600,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out information systems standards development and architecture and applications-based research used at local public health levels: Provided further, That in addition to amounts provided herein, $41,900,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out Research Tools and Approaches activities within the National Occupational Research Agenda: Provided further, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used, in whole or in part, to advocate or promote gun control: Provided further, That the Director may redirect the total amount made available under authority of Public Law 101–502, section 3, dated November 3, 1990, to activities the Director may so designate: Provided further, That the Congress is to be notified promptly of any such transfer: Provided further, That not to exceed $12,500,000 may be available for making grants under section 1509 of the Public Health Service Act to not more than 15 States: Provided further, That without regard to existing statute, funds appropriated may be used to proceed, at the discretion of the Centers for Disease Control and Prevention, with property acquisition, including a long-term ground lease for construction on non-Federal land, to support the construction of a replacement laboratory in the Fort Collins, Colorado area: Provided further, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract

shall contain the clause "availability of funds" found at 48 CFR 52.232–18.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $4,770,519,000.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $2,897,145,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $385,796,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, $1,682,457,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $1,510,776,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $4,335,155,000: Provided, That $150,000,000 may be made available to International Assistance Programs, "Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis", to remain available until expended.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,916,333,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $1,250,585,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $657,199,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $636,974,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $1,031,311,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, $504,300,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $384,477,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $135,555,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $431,471,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $997,414,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, $1,390,714,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $482,222,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the Public Health Service Act with respect to biomedical imaging and bioengineering research, $288,900,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $1,186,183,000: Provided, That none of these funds shall be used to pay recipients of the general research support

grants program any amount for indirect expenses in connection with such grants: Provided further, That $119,220,000 shall be for extramural facilities construction grants.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, $117,752,000.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the Public Health Service Act with respect to minority health and health disparities research, $192,724,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $65,800,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $311,635,000, of which $4,000,000 shall be available until expended for improvement of information systems: Provided, That in fiscal year 2004, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health: Provided further, That in addition to amounts provided herein, $8,200,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out National Information Center on Health Services Research and Health Care Technology and related health services.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $329,707,000, of which up to $7,500,000 shall be used to carry out section 221 of this Act: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That the Director may direct up to 1 percent of the total amount made available in this or any other Act to all National Institutes of Health appropriations to activities the Director may so designate: Provided further, That no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer: Provided further, That the National Institutes of Health is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: Provided further, That all funds credited to the National Institutes of Health Management Fund shall remain available for 1 fiscal year after the fiscal year in which they are depos-

ited: Provided further, That up to $500,000 shall be available to carry out section 499 of the Public Health Service Act.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, $89,500,000, to remain available until expended: Provided, That notwithstanding any other provision of law, single contracts or related contracts, which collectively include the full scope of the project, may be employed for the development and construction of the first and second phases of the John Edward Porter Neuroscience Research Center: Provided further, That the solicitations and contracts shall contain the clause "availability of funds" found at 48 CFR 52.232–18.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, $3,253,763,000: Provided, That in addition to amounts provided herein, $79,200,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out subpart II of title XIX of the Public Health Service Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of title XIX: Provided further, That in addition to the amounts provided herein, $21,850,000 shall be available from amounts available under Section 241 of the Public Health Service Act to carry out subpart I of Part B of title XIX of the Public Health Service Act to fund section 1920(b) technical assistance, data collection and program evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of Part B of title XIX: Provided further, That in addition to amounts provided herein, $16,000,000 shall be made available from amounts available under section 241 of the Public Health Service Act to carry out national surveys on drug abuse.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended: Provided, That the amount made available pursuant to section 927(c)

of the Public Health Service Act shall not exceed $303,695,000: Provided further, That, of the funds made available under this heading, $12,000,000 shall be for the conduct of research on the comparative clinical effectiveness, cost-effectiveness, and safety of drugs, biological products, and devices.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $130,892,197,000, to remain available until expended.

For making, after May 31, 2004, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2004 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2005, $58,416,275,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under section 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $95,084,100,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $2,664,994,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act and section 1857(e)(2) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended, and together with administrative fees collected relative to Medicare overpayment recovery activities, which shall remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That $30,000,000, to remain available until September 30, 2005, is for contract costs for CMS's Systems Revitalization Plan: Provided further, That $56,991,000, to remain available until September 30, 2005, is for contract costs for the Healthcare Integrated General Ledger Accounting System: Pro-

vided further, That of the amounts made available for research, demonstration and evaluation, $100,000 is available for Advocate Health Care in Oak Brook, Illinois for health education programs and services to the deaf and hard-of-hearing, $1,750,000 is available for AIDS Healthcare Foundation in Los Angeles for a demonstration of residential and outpatient treatment facilities, $250,000 is available for Berwick Hospital Center, Berwick, Pennsylvania for stabilizing the workforce for patient care, $163,000 is available for Bloomsburg Hospital, Bloomsburg, Pennsylvania for stabilizing the workforce for patient care, $275,000 is available for Cheyenne River Sioux Tribe in Eagle Butte, South Dakota to establish a nursing home, $778,000 is available for Community Medical Center, Scranton, Pennsylvania for stabilizing the workforce for patient care, $150,000 is available for Cook County (Illinois) Bureau of Health Services to improve the management of vulnerable patients with poorly controlled diabetes, $178,000 is available for Divine Providence Hospital, Williamsport, Pennsylvania for stabilizing the workforce for patient care, $267,000 is available for Geisinger Wyoming Valley Medical Center, Wilkes-Barre, Pennsylvania for stabilizing the workforce for patient care, $237,000 is available for Hazleton General Hospital, Hazleton, Pennsylvania for stabilizing the workforce for patient care, $25,000 is available for Hope Worldwide, Philadelphia, Pennsylvania to maintain clinical care for recovering drug and alcohol addicts, $825,000 is available for Illinois Primary Health Care Association for the Shared Integrated Management Information System, Springfield, Illinois, $250,000 is available for James S. Taylor Memorial Home, Louisville, Kentucky, $100,000 is available for Jefferson Area Board for Aging, Charlottesville, Virginia, for the Nursing Assistant Institute, $85,000 is available for Jersey Shore Hospital, Jersey Shore, Pennsylvania for stabilizing the workforce for patient care, $179,000 is available for Marian Community Hospital, Carbondale, Pennsylvania for stabilizing the workforce for patient care, $200,000 is available for Medical Care for Children Partnership, Fairfax, Virginia to provide outreach to increase access to medical and dental care for children, $393,000 is available for Mercy Health Partners, Scranton, Pennsylvania for stabilizing the workforce for patient care, $571,000 is available for Mercy Hospital, Wilkes-Barre, Pennsylvania for stabilizing the workforce for patient care, $63,000 is available for Mid-Valley Hospital, Peckville, Pennsylvania for stabilizing the workforce for patient care, $510,000 is available for Moses Taylor Hospital, Scranton, Pennsylvania for stabilizing the workforce for patient care, $109,000 is available for Muncy Valley Hospital, Muncy, Pennsylvania for stabilizing the workforce for patient care, $225,000 is available for Muskegon Community Health Project, Muskegon, Michigan, for the Access Health program, $75,000 is available for North Penn Visiting Nurse Association, Lansdale, Pennsylvania to provide low-cost or free health care to children who do not have health insurance, $122,000 is available for Patient Advocate Foundation, Newport News, Virginia to provide direct intervention assistance to patients throughout the United States who are experiencing difficulty in accessing quality health care services, $100,000 is available for Rhode Island Hospital-Medical Simulation Center of Providence, Rhode Island for the creation of a transportable simulation-based training curriculum and vali-

dated human performance measurement system, $256,000 is available for Saint Joseph Medical Center, Hazleton, Pennsylvania for stabilizing the workforce for patient care, $100,000 is available for Santa Clara County, California, for its Children's Health Initiative program to provide outreach and enrollment assistance for families under 300 percent of federal poverty level, $664,000 is available for Sharon Regional Health System, Sharon, Pennsylvania for stabilizing the workforce for patient care, $25,000 is available for Sickle Cell Medical Treatment & Education Center, St. Louis Children's Hospital, St. Louis, Missouri, to improve the academic achievement of children with Sickle Cell Disease with specific cognitive rehabilitation, $111,000 is available for Tyler Memorial Hospital, Tunkhannock, Pennsylvania for stabilizing the workforce for patient care, $174,000 is available for United Community Hospital, Grove City, Pennsylvania for stabilizing the workforce for patient care, $503,000 is available for UPMC Horizon, Farrell, Pennsylvania for stabilizing the workforce for patient care, $613,000 is available for Williamsport Hospital & Medical Center, Williamsport, Pennsylvania for stabilizing the workforce for patient care, and $965,000 is available for Wyoming Valley Health Care System, Wilkes-Barre, Pennsylvania for stabilizing the workforce for patient care: Provided further, That the Secretary of Health and Human Services is directed to collect fees in fiscal year 2004 from Medicare+Choice organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: Provided further, that to the extent Medicare claims processing unit costs are projected by the Centers for Medicare & Medicaid Services to exceed $0.87 for Part A claims and/or $0.65 for Part B claims, up to an additional $18,000,000 may be available for obligation for every $0.04 increase in Medicare claims processing unit costs from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds. The calculation of projected unit costs shall be derived in the same manner in which the estimated unit costs were calculated for the Federal budget estimate for the fiscal year.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 2004, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), $3,292,970,000, to remain available until expended; and for such purposes for the first

quarter of fiscal year 2005, $1,200,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV–A of the Social Security Act before the effective date of the program of Temporary Assistance for Needy Families (TANF) with respect to such State, such sums as may be necessary: Provided, That the sum of the amounts available to a State with respect to expenditures under such title IV–A in fiscal year 1997 under this appropriation and under such title IV–A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW-INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,800,000,000.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $100,000,000, to remain available until expended: Provided, That these funds are for the unanticipated home energy assistance needs of one or more States, as authorized by section 2604(e) of the Act, and notwithstanding the designation requirement of section 2602(e).

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), for carrying out section 462 of the Homeland Security Act of 2002 (Public Law 107–296), and for carrying out section 5 of the Torture Victims Relief Act of 1998 (Public Law 105–320), $450,276,000, of which up to $9,968,000 shall be available to carry out the Trafficking Victims Protection Act of 2000 (Public Law 106–386; division A): Provided, That funds appropriated under this heading pursuant to section 414(a) of the Immigration and Nationality Act for fiscal year 2004 shall be available for the costs of assistance provided and other activities, to remain available through September 30, 2006.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), $2,099,729,000 shall be used to supplement, not supplant state general revenue funds for child care assistance for low-income families: Provided, That $19,120,000 shall be available for child care resource and referral and school-aged child care activities, of which $1,000,000 shall be for the Child Care Aware toll free hotline: Provided further, That, in addition to the

amounts required to be reserved by the States under section 658G, $272,672,000 shall be reserved by the States for activities authorized under section 658G, of which $100,000,000 shall be for activities that improve the quality of infant and toddler care: Provided further, That $9,864,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $1,700,000,000: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 310 and 316 of the Family Violence Prevention and Services Act, as amended, the Native American Programs Act of 1974, title II of Public Law 95–266 (adoption opportunities), the Adoption and Safe Families Act of 1997 (Public Law 105–89), sections 1201 and 1211 of the Children's Health Act of 2000, the Abandoned Infants Assistance Act of 1988, sections 261 and 291 of the Help America Vote Act of 2002, the Early Learning Opportunities Act, part B(1) of title IV and sections 413, 429A, 1110, and 1115 of the Social Security Act, and sections 40155, 40211, and 40241 of Public Law 103–322; for making payments under the Community Services Block Grant Act, sections 439(h), 473A, and 477(i) of the Social Security Act, and title IV of Public Law 105–285, and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, section 5 of the Torture Victims Relief Act of 1998 (Public Law 105–320), sections 40155, 40211, and 40241 of Public Law 103–322, and section 126 and titles IV and V of Public Law 100–485, $8,816,097,000, of which $7,500,000, to remain available until September 30, 2005, shall be for grants to States for adoption incentive payments, as authorized by section 473A of title IV of the Social Security Act (42 U.S.C. 670–679) and may be made for adoptions completed before September 30, 2004: Provided, That funds appropriated in Public Law 108–7 for grants to States as authorized by section 473A of title IV of the Social Security Act shall also be available for adoption incentive payments for adoptions completed before September 30, 2004: Provided further, That $6,815,570,000 shall be for making payments under the Head Start Act, of which $1,400,000,000 shall become available October 1, 2004 and remain available through September 30, 2005: Provided further, That $735,686,000 shall be for making payments under the Community Services Block Grant Act: Provided further, That not less than $7,227,000 shall be for section 680(3)(B) of the Community Services Block Grant Act, as amended: Provided further, That in addition to amounts provided herein, $6,000,000 shall be available from

amounts available under section 241 of the Public Health Service Act to carry out the provisions of section 1110 of the Social Security Act: Provided further, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary shall establish procedures regarding the disposition of intangible property which permits grant funds, or intangible assets acquired with funds authorized under section 680 of the Community Services Block Grant Act, as amended, to become the sole property of such grantees after a period of not more than 12 years after the end of the grant for purposes and uses consistent with the original grant: Provided further, That funds appropriated for section 680(a)(2) of the Community Services Block Grant Act, as amended, shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided further, That $89,978,000 shall be for activities authorized by the Runaway and Homeless Youth Act, notwithstanding the allocation requirements of section 388(a) of such Act, of which $40,505,000 is for the transitional living program: Provided further, That $48,000,000 is for a compassion capital fund to provide grants to charitable organizations to emulate model social service programs and to encourage research on the best practices of social service organizations: Provided further, That $15,000,000 shall be for activities authorized by the Help America Vote Act of 2002, of which $10,000,000 shall be for payments to States to promote disabled voter access, and of which $5,000,000 shall be for payments to States for disabled voters protection and advocacy systems.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 436 of the Social Security Act, $305,000,000 and for section 437, $100,000,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities under title IV–E of the Social Security Act, $5,068,300,000.

For making payments to States or other non-Federal entities under title IV–E of the Act, for the first quarter of fiscal year 2005, $1,767,700,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV–E, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, and section 398 of the Public Health Service Act, $1,381,689,000, of which $5,500,000 shall be available for activities regarding medication management, screen-

ing, and education to prevent incorrect medication and adverse drug reactions; and of which $2,842,000 shall remain available until September 30, 2006, for the White House Conference on Aging.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, XX, and XXI of the Public Health Service Act, and the United States-Mexico Border Health Commission Act, $357,358,000, together with $5,851,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: Provided, That of the funds made available under this heading for carrying out title XX of the Public Health Service Act, $11,885,000 shall be for activities specified under section 2003(b)(2), of which $10,157,000 shall be for prevention service demonstration grants under section 510(b)(2) of title V of the Social Security Act, as amended, without application of the limitation of section 2010(c) of said title XX: Provided further, That of this amount, $49,838,000 is for minority AIDS prevention and treatment activities; and $15,000,000 shall be for an Information Technology Security and Innovation Fund for Department-wide activities involving cybersecurity, information technology security, and related innovation projects, and $5,000,000 is to assist Afghanistan in the development of maternal and child health clinics, consistent with section 103(a)(4)(H) of the Afghanistan Freedom Support Act of 2002.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $39,497,000: Provided, That, of such amount, necessary sums are available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $30,936,000, together with not to exceed $3,314,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act and title III of the Public Health Service Act, $20,750,000, which shall be available from amounts available under section 241 of the Public Health Service Act to carry out national health or human services research and evaluation activities: Provided, That the expenditure of any funds available under section 241 of the Public Health Service Act are subject to the requirements of section 205 of this Act.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55 and 56), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year. The following are definitions for the medical benefits of the Public Health Service Commissioned Officers that apply to 10 U.S.C. chapter 56, section 1116(c). The source of funds for the monthly accrual payments into the Department of Defense Medicare-Eligible Retiree Health Care Fund shall be the Retirement Pay and Medical Benefits for Commissioned Officers account. For purposes of this Act, the term "pay of members" shall be construed to be synonymous with retirement payments to United States Public Health Service officers who are retired for age, disability, or length of service; payments to survivors of deceased officers; medical care to active duty and retired members and dependents and beneficiaries; and for payments to the Social Security Administration for military service credits; all of which payments are provided for by the Retirement Pay and Medical Benefits for Commissioned Officers account.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, disease and chemical threats to civilian populations, $1,726,846,000: Provided, That this amount is distributed as follows: Centers for Disease Control and Prevention, $1,116,156,000; Office of the Secretary, $64,820,000; and Health Resources and Services Administration, $545,870,000: Provided further, That at the discretion of the Secretary of Health and Human Services, these amounts may be transferred between categories subject to normal reprogramming procedures: Provided further, That employees of the Centers for Disease Control and Prevention or the Public Health Service, both civilian and Commissioned Officers, detailed to States, municipalities, or other organizations under authority of section 214 of the Public Health Service Act for purposes related to homeland security, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services during the period of detail or assignment.

In addition, for activities to ensure a year-round influenza vaccine production capacity and the development and implementation of rapidly expandable influenza vaccine production technologies, $50,000,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399F(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Healthcare Research and Quality, and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level I.

SEC. 205. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

SEC. 206. Notwithstanding section 241(a) of the Public Health Service Act, such portion as the Secretary shall determine, but not more than 2.2 percent, of any amounts appropriated for programs authorized under said Act shall be made available for the evaluation (directly, or by grants or contracts) of the implementation and effectiveness of such programs.

(TRANSFER OF FUNDS)

SEC. 207. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That an appropriation may be increased by up to an additional 2 percent subject to approval by the House and Senate Committees on Appropriations: Provided further, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 208. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes, centers, and divisions from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Congress is promptly notified of the transfer.

SEC. 209. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research

shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 210. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 211. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare+Choice program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): Provided further, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare+Choice organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 212. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 213. The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking "1997, 1998, 1999, 2000, 2001, 2002, and 2003" and inserting "1997, 1998, 1999, 2000, 2001, 2002, 2003, and 2004"; and

(B) in subsection (e), by striking "October 1, 2003" each place it appears and inserting "October 1, 2004";

(C) in subsection (b)(1)—

(i) in subparagraph (A), by striking "and" at the end;

(ii) in subparagraph (B), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(C) one or more categories of aliens who are or were nationals and residents of the Islamic Republic or Iran who, as members of a religious minority in Iran, share common characteristics that identify them as targets of persecution in that state on account of race, religion, nationality, membership in a particular social group, or political opinion."; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking "September 30, 2003" and inserting "September 30, 2004".

SEC. 214. (a) Except as provided by subsection (e) none of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public

Health Service Act (42 U.S.C. 300x–26) if such State certifies to the Secretary of Health and Human Services by May 1, 2004 that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State's substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary of Health and Human Services under section 1926 of such Act.

(c) The State is to maintain State expenditures in fiscal year 2004 for tobacco prevention programs and for compliance activities at a level that is not less than the level of such expenditures maintained by the State for fiscal year 2003, and adding to that level the additional funds for tobacco compliance activities required under subsection (a). The State is to submit a report to the Secretary on all fiscal year 2003 State expenditures and all fiscal year 2004 obligations for tobacco prevention and compliance activities by program activity by July 31, 2004.

(d) The Secretary shall exercise discretion in enforcing the timing of the State obligation of the additional funds required by the certification described in subsection (a) as late as July 31, 2004.

(e) None of the funds appropriated by this Act may be used to withhold substance abuse funding pursuant to section 1926 from a territory that receives less than $1,000,000.

SEC. 215. In order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2004, the Secretary of Health and Human Services—

(1) may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)). The Secretary of Health and Human Services shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) and other applicable statutes administered by the Department of State, and

(2) is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of the Department of Health and Human Services. The Department of State shall cooperate fully with the Secretary of Health and Human Services to ensure that the Department of Health and Human Services has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary of Health and Human Services is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or ren-

ovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

SEC. 216. The Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals.

SEC. 217. Notwithstanding section 409B(c) of the Public Health Service Act regarding a limitation on the number of such grants, funds appropriated in this Act and Acts in fiscal years thereafter may be expended by the Director of the National Institutes of Health to award Core Center Grants to encourage the development of innovative multidisciplinary research and provide training concerning Parkinson's disease. Each center funded under such grants shall be designated as a Morris K. Udall Center for Research on Parkinson's Disease.

SEC. 218. Not later than 90 days after the date of enactment of this Act, the Director of the National Institutes of Health shall submit to the appropriate committees of Congress a report that shall—

(1) contain the recommendations of the Director concerning the role of the National Institutes of Health in promoting the affordability of inventions and products developed with Federal funds; and

(2) specify whether any circumstances exist to prevent the Director from promoting the affordability of inventions and products developed with Federal funds.

SEC. 219. Notwithstanding any other provisions of law, funds made available under this heading may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102–408.

SEC. 220. DESIGNATION OF SENATOR PAUL D. WELLSTONE NIH MDCRC PROGRAM. (a) FINDINGS.—Congress finds the following:

(1) On December 18, 2001, Public Law 107–84, otherwise known as the Muscular Dystrophy Community Assistance, Research and Education Amendments of 2001, or the MD CARE Act, was signed into law to provide for research and education with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and EmeryDreifuss muscular dystrophies.

(2) In response to the MD CARE Act of 2001, in September 2002, the National Institutes of Health (NIH) announced its intention to establish the Muscular Dystrophy Cooperative Research Centers (MDCRC) program.

(3) Senator Paul D. Wellstone was a driving force behind enactment of the MD CARE Act, which led to the establishment of the MDCRC program.

(b) DESIGNATION.—The NIH Muscular Dystrophy Cooperative Research Centers (MDCRC) program shall be known and designated as the "Senator Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers", in honor of Senator Paul D. Wellstone who was deceased on October 25, 2002.

(c) REFERENCES.—Any reference in a law, regulation, document, paper, or other record of the United States to the NIH program of

Muscular Dystrophy Cooperative Research Centers shall be deemed to be a reference to the "Senator Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers.

SEC. 221. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of the National Institutes of Health may use funds available under section 402(i) of the Public Health Service Act (42 U.S.C. 282(i)) to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research in support of the NIH Roadmap Initiative of the Director.

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director of the National Institutes of Health may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the Public Health Service Act (42 U.S.C. 241, 284(b)(1)(B), 284(b)(2), 284a(a)(3)(A), 289a, and 289c).

SEC. 222. Section 307(c) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note) is amended by striking "is authorized to make grants" and inserting "is authorized to make interagency transfers".

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2004".

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 ("ESEA") and section 418A of the Higher Education Act of 1965, $14,528,522,000, of which $6,983,169,000 shall become available on July 1, 2004, and shall remain available through September 30, 2005, and of which $7,383,301,000 shall become available on October 1, 2004, and shall remain available through September 30, 2005, for academic year 2004–2005: Provided, That $7,107,283,000 shall be available for basic grants under section 1124: Provided further, That up to $3,500,000 of these funds shall be available to the Secretary of Education on October 1, 2003, to obtain annually updated educational-agency-level census poverty data from the Bureau of the Census: Provided further, That $1,365,031,000 shall be available for concentration grants under section 1124A: Provided further, That $1,969,843,000 shall be available for targeted grants under section 1125: Provided further, That $1,969,843,000 shall be available for education finance incentive grants under section 1125A: Provided further, That $235,000,000 shall be available for comprehensive school reform grants under part F of the ESEA: Provided further, That from the $8,842,000 available to carry out part E of title I, up to $1,000,000 shall be available to the Secretary of Education to provide technical assistance to state and local educational agencies concerning part A of title I.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $1,236,824,000, of which $1,070,000,000 shall be for basic support payments under section 8003(b), $50,668,000 shall be for payments for children with disabilities under section 8003(d), $46,208,000 shall be for construction under section 8007 and shall remain available through September 30, 2005, $62,000,000 shall be for Federal property payments under section 8002, and $7,948,000, to remain available until expended, shall be for facilities maintenance under section 8008: Provided, That $1,500,000 of the funds for section 8007 shall be available for the local educational agencies and in the amounts specified in the statement of the managers on the conference report accompanying this Act: Provided further, That, notwithstanding any other provision of law, these funds shall remain available until expended.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, part B of title IV, part A and subparts 6 and 9 of part D of title V, parts A and B of title VI, and parts B and C of title VII of the Elementary and Secondary Education Act of 1965 ("ESEA"); the McKinney-Vento Homeless Assistance Act; and the Civil Rights Act of 1964, $5,834,208,000, of which $4,282,199,000 shall become available on July 1, 2004, and remain available through September 30, 2005, and of which $1,435,000,000 shall become available on October 1, 2004, and shall remain available through September 30, 2005, for academic year 2004–2005: Provided, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: Provided further, That from the funds referred to in the preceding proviso, not less than $1,000,000 shall be for a grant to the Department of Education of the State of Hawaii for the activities described in such proviso: Provided further, That funds made available to carry out part C of title VII of the ESEA may be used for construction: Provided further, That $391,600,000 shall be for subpart 1 of part A of title VI of the ESEA: Provided further, That $27,821,000 shall be available to carry out part D of title V of the ESEA: Provided further, That no funds appropriated under this heading may be used to carry out section 5494 under the ESEA.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the Elementary and Secondary Education Act of 1965, $121,573,000.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by parts G and H of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V, and section 1504 of the Elementary and Secondary

Education Act of 1965 ("ESEA"), $1,106,811,000: Provided, That $74,513,000 for continuing and new grants to demonstrate effective approaches to comprehensive school reform shall become available on July 1, 2004, and remain available through September 30, 2005, and shall be allocated and expended in the same manner as the funds provided under the Fund for the Improvement of Education for this purpose were allocated and expended in fiscal year 2003: Provided further, That $18,500,000 shall be available to carry out section 2151(c) of the ESEA, of which not less than $10,000,000 shall be provided to the National Board for Professional Teaching Standards, not less than $7,000,000 shall be provided to the National Council on Teacher Quality, and up to $1,500,000 may be reserved by the Secretary to conduct an evaluation of activities authorized by such section: Provided further, That $430,463,000 shall be available to carry out part D of title V of the ESEA: Provided further, That $177,271,000 of the funds for subpart 1, part D of title V of the ESEA shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subpart 3 of part C of title II, part A of title IV, and subparts 2, 3 and 10 of part D of title V of the Elementary and Secondary Education Act of 1965 ("ESEA"), title VIII–D of the Higher Education Amendments of 1998, and Public Law 102–73, $862,813,000, of which $470,483,000 shall become available on July 1, 2004 and remain available through September 30, 2005: Provided, That of the amount available for subpart 2 of part A of title IV of the ESEA, $850,000 shall be used to continue the National Recognition Awards program under the same guidelines outlined by section 120(f) of Public Law 105–244: Provided further, That $445,483,000 shall be available for subpart 1 of part A of title IV and $234,680,000 shall be available for subpart 2 of part A of title IV: Provided further, That $128,838,000 shall be available to carry out part D of title V of the ESEA: Provided further, That of the funds available to carry out subpart 3 of part C of title II, up to $11,922,000 may be used to carry out section 2345 and $2,980,000 shall be used by the Center for Civic Education to implement a comprehensive program to improve public knowledge, understanding, and support of the Congress and the state legislatures: Provided further, That $25,000,000 shall be for Youth Offender Grants, of which $5,000,000 shall be used in accordance with section 601 of Public Law 102–73 as that section was in effect prior to enactment of Public Law 105–220.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $685,258,000, of which $560,301,000 shall become available on July 1, 2004, and shall remain available through September 30, 2005: Provided, That notwithstanding section 3111(c)(4)(B)(ii), the Secretary may, in determining the allotments under section 3111(c)(3), use the same Census data for the number of limited English proficient children and youth used for the previous year's allotments under section 3111(c)(3) and the most recent data collected from States for the

number of immigrant children and youth that is acceptable to the Secretary: Provided further, That funds reserved under section 3111(c)(1)(D) of the ESEA that are not used in accordance with section 3111(c)(2) may be added to the funds that are available July 1, 2004 through September 30, 2005 for State allotments under section 3111(c)(3).

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act, $11,307,072,000, of which $5,604,762,000 shall become available for obligation on July 1, 2004, and shall remain available through September 30, 2005, and of which $5,413,000,000 shall become available on October 1, 2004, and shall remain available through September 30, 2005, for academic year 2004–2005: Provided, That $11,400,000 shall be for Recording for the Blind and Dyslexic to support the development, production, and circulation of recorded educational materials: Provided further, That $1,500,000 shall be for the recipient of funds provided by Public Law 105–78 under section 687(b)(2)(G) of the Act to provide information on diagnosis, intervention, and teaching strategies for children with disabilities: Provided further, That the amount for section 611(c) of the Act shall be equal to the amount available for that section during fiscal year 2003, increased by the amount of inflation as specified in section 611(f)(1)(B)(ii) of the Act: Provided further, That $6,879,000 of the funds for section 672 of the Act shall be available for the projects and in the amounts specified in the statement of the managers of the conference report accompanying this Act.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, $3,013,305,000, of which $1,000,000 shall be awarded to the American Academy of Orthotists and Prosthetists for activities that further the purposes of the grant received by the Academy for the period beginning October 1, 2003, including activities to meet the demand for orthotic and prosthetic provider services and improve patient care: Provided, That the funds provided for title I of the Assistive Technology Act of 1998 ("the AT Act") shall be allocated notwithstanding section 105(b)(1) of the AT Act: Provided further, That section 101(f) of the AT Act shall not limit the award of an extension grant to three years: Provided further, That no State or outlying area awarded funds under section 101 shall receive less than the amount received in fiscal year 2003: Provided further, That $5,035,000 of the funds for section 303 of the Rehabilitation Act of 1973 shall be available for the projects and in the amounts specified in the statement of the managers of the conference report accompanying this Act.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $16,500,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $53,800,000, of which $367,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $100,800,000: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Technical Education Act of 1998, the Adult Education and Family Literacy Act, and subparts 4 and 11 of part D of title V of the Elementary and Secondary Education Act of 1965 ("ESEA"), $2,121,690,000, of which $1,304,712,000 shall become available on July 1, 2004 and shall remain available through September 30, 2005 and of which $791,000,000 shall become available on October 1, 2004 and shall remain available through September 30, 2005: Provided, That notwithstanding any other provision of law or any regulation, the Secretary of Education shall not require the use of a restricted indirect cost rate for grants issued pursuant to section 117 of the Carl D. Perkins Vocational and Technical Education Act of 1998: Provided further, That of the amount provided for Adult Education State Grants, $69,545,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited English proficient populations: Provided further, That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the Adult Education and Family Literacy Act, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the Immigration and Naturalization Service data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which Immigration and Naturalization Service data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than $60,000: Provided further, That of the amounts made available for the Adult Education and Family Literacy Act, $9,223,000 shall be for national leadership activities under section 243 and $6,732,000 shall be for the National Institute for Literacy under section 242: Provided further, That $185,000,000 shall be available to carry out part D of title V of the ESEA: Provided further, That $175,000,000 shall be available to support the activities authorized under subpart 4 of part D of title V of the Elementary and Secondary Education Act of 1965, of which up to 5 percent shall become available October 1, 2003 and shall remain

available through September 30, 2005, for evaluation, technical assistance, school networking, peer review of applications, and program outreach activities, and of which not less than 95 percent shall become available on July 1, 2004, and remain available through September 30, 2005, for grants to local educational agencies: Provided further, That funds made available to local education agencies under this subpart shall be used only for activities related to establishing smaller learning communities in high schools.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3 and 4 of part A, part C and part E of title IV of the Higher Education Act of 1965, as amended, $14,090,430,000, which shall remain available through September 30, 2005.

The maximum Pell Grant for which a student shall be eligible during award year 2004–2005 shall be $4,050.

STUDENT AID ADMINISTRATION

For Federal administrative expenses (in addition to funds made available under section 458), to carry out part D of title I, and subparts 1, 3, and 4 of part A, and parts B, C, D and E of title IV of the Higher Education Act of 1965, as amended, $118,010,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, section 121 and titles II, III, IV, V, VI, and VII of the Higher Education Act of 1965 ("HEA"), as amended, section 1543 of the Higher Education Amendments of 1992, title VIII of the Higher Education Amendments of 1998, and the Mutual Educational and Cultural Exchange Act of 1961, $2,094,511,000, of which $2,000,000 for interest subsidies authorized by section 121 of the HEA shall remain available until expended: Provided, That $9,935,000, to remain available through September 30, 2005, shall be available to fund fellowships for academic year 2005–2006 under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: Provided further, That $994,000 is for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: Provided further, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That up to one percent of the funds referred to in the preceding proviso may be used for program evaluation, national outreach, and information dissemination activities: Provided further, That $123,110,000 of the funds for part B of title VII of the Higher Education Act of 1965 shall be available for the projects and in the amounts specified in the state-

ment of the managers of the conference report accompanying this Act.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), $240,180,000, of which not less than $3,573,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98–480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses authorized under section 121 of the Higher Education Act of 1965, $774,000 to carry out activities related to existing facility loans entered into under the Higher Education Act of 1965.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

The aggregate principal amount of outstanding bonds insured pursuant to section 344 of title III, part D of the Higher Education Act of 1965, shall not exceed $357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title III, part D of the Higher Education Act of 1965, as amended, $210,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by Public Law 107–279, $478,717,000: Provided, That, of the amount appropriated, $166,500,000 shall be available for obligation through September 30, 2005: Provided further, That of the amount provided to carry out title I, parts B and D of Public Law 107–279, not less than $24,362,000 shall be for the national research and development centers authorized under section 133(c): Provided further, That $4,968,000 shall be available to extend for one additional year the contract for the Eisenhower National Clearinghouse for Mathematics and Science Education authorized under section 2102(a)(2) of the Elementary and Secondary Education Act of 1965, prior to its amendment by the No Child Left Behind Act of 2001, Public Law 107–110.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $425,000,000, of which $13,644,000, to remain available until expended, shall be for building alterations and related expenses for the relocation of Department staff to Potomac Center Plaza in Washington, D.C.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $89,275,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $47,137,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 305. SPECIAL STUDY OF SIMPLIFICATION OF NEED ANALYSIS AND APPLICATION FOR TITLE IV AID. (a) STUDY REQUIRED.—The Advisory Committee on Student Financial Assistance established by section 491 of the Higher Education Act of 1965 (20 U.S.C. 1098), hereafter in this section referred to as "the Advisory Committee", shall conduct a thorough study of the feasibility of simplifying the need analysis methodology for all Federal student financial assistance programs and the process of applying for such assistance.

(b) REQUIRED SUBJECTS OF STUDY.—In performing the study, the Advisory Committee shall, at a minimum, examine the following:

(1) whether the methodology used to calculate the expected family contribution can be simplified without significant adverse effects on program intent, costs, integrity, delivery, and distribution of awards;

(2) whether the number of data elements, and, accordingly, the number and complexity of questions asked of students and families, used to calculate the expected family contribution can be reduced without such adverse effects;

(3) whether the procedures for determining such data elements, including determining and updating offsets and allowances, is the most efficient, effective, and fair means to determine a family's available income and assets;

(4) whether the methodology used to calculate the expected family contribution, specifically the consideration of income earned by a dependent student and its effect on Pell grant eligibility, is an effective and fair means to determine a family's available income and a student's need;

(5) whether the nature and timing of the application required in section 483(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1090(a)(1)), eligibility and award determination, financial aid processing, and funds delivery can be streamlined further for students and families, institutions, and States;

(6) whether it is feasible to allow students to complete only those limited sections of the financial aid application that apply to their specific circumstances and the State in which they reside;

(7) whether a widely disseminated printed form, or the use of an Internet or other electronic means, can be developed to notify individuals of an estimation of their approximate eligibility for grant, work-study, and loan assistance upon completion and verification of the simplified application form;

(8) whether information provided on other Federal forms (such as the form applying for supplemental security income under title XVI of the Social Security Act, the form for applying for food stamps under the Food Stamp Act of 1977, and the schedule for applying for the earned income tax credit under section 32 of the Internal Revenue Code of 1986) that are designed to determine eligibility for various Federal need-based assistance programs could be used to qualify potential students for the simplified needs test; and

(9) whether any proposed changes to data elements collected, in addition to those used to calculate expected family contribution, or any proposed changes to the form's design or the process of applying for aid, may have adverse effects on program costs, integrity, delivery, or distribution of awards, as well as, application development or application processing.

(c) ADDITIONAL CONSIDERATIONS.—In conducting the feasibility study, the Advisory Committee's primary objective under this subsection shall be simplifying the financial aid application forms and process and obtaining a substantial reduction in the number of required data items. In carrying out that objective, the Advisory Com-

mittee shall pay special attention to the needs of low-income and moderate-income students and families.

(d) CONSULTATION.—

(1) IN GENERAL.—The Advisory Committee shall consult with a broad range of interested parties in higher education, including parents and students, high school guidance counselors, financial aid and other campus administrators, appropriate State administrators, administrators of intervention and outreach programs, and appropriate officials from the Department of Education.

(2) FORMS DESIGN EXPERT.—With the goal of making significant changes to the form to make the questions more easily understandable, the Advisory Committee shall consult a forms design expert to ensure that its recommendations for revision of the application form would assist in making the form easily readable and understood by parents, students, and other members of the public.

(3) CONGRESSIONAL CONSULTATION.—The Advisory Committee shall consult on a regular basis with the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate in carrying out the feasibility study required by this subsection.

(4) DEPARTMENTAL CONSULTATION.—The Secretary of Education shall provide such assistance to the Advisory Committee as is requested and practicable in conducting the study required by this subsection.

(e) REPORTS.—

(1) INTERIM REPORT.—The Advisory Committee shall, not later than six months after the date of enactment of this Act, prepare and submit an interim report containing any such legislative changes as the Advisory Committee recommends to reform and simplify the needs analysis under part F of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087kk et seq.) and forms and other requirements under such title to the Committee on Education and the Workforce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Secretary of Education.

(2) FINAL REPORT.—The Advisory Committee shall, not later than one year after the date of enactment of this Act, prepare and submit a full final report on the study, including recommendations for regulatory and administrative changes required by this section, to the Committee on Education and the Workforce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Secretary of Education.

(f) IMPLEMENTATION.—The Secretary of Education shall consult with the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate and shall subsequently initiate a redesign of the form required by section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090). Such redesign shall include the testing of alternative simplified versions of the free federal form. The Secretary shall keep the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Edu-

cation, Labor, and Pensions of the Senate fully and currently informed on the progress of these efforts.

(g) POSTPONEMENT OF TAX TABLE UPDATE PENDING REPORT AND IMPLEMENTATION.—The Secretary of Education shall not implement or enforce for the award year 2004–2005 the annual update to the allowances for State and other taxes in the tables used in the Federal needs analysis methodology, as prescribed by the Secretary on May 30, 2003 (68 Fed. Reg. 32473).

SEC. 306. The Secretary of Education shall treat as timely filed an application under section 8003 of the Elementary and Secondary Education Act of 1965 from the local educational agency for Hydaburg, Alaska, for a payment for fiscal year 2004, and shall process such application for payment, if the Secretary has received the fiscal year 2004 application not later than 30 days after the date of enactment of this Act.

This title may be cited as the "Department of Education Appropriations Act, 2004".

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $65,279,000, of which $1,983,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $356,443,000: Provided, That none of the funds made available to the Corporation for National and Community Service in this Act for activities authorized by section 122 of Part C of Title I and Part E of Title II of the Domestic Volunteer Service Act of 1973 shall be used to provide stipends or other monetary incentives to volunteers or volunteer leaders whose incomes exceed 125 percent of the national poverty level.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2006, $400,000,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated

against, on the basis of race, color, national origin, religion, or sex: Provided further, That for fiscal year 2004, in addition to the amounts provided above, $50,000,000 shall be for costs related to digital program production, development, and distribution, associated with the transition of public broadcasting to digital broadcasting, to be awarded as determined by the Corporation in consultation with public radio and television licensees or permittees, or their designated representatives: Provided further, That for fiscal year 2004, in addition to the amounts provided above, $10,000,000 shall be for the costs associated with implementing the first phase of the next generation interconnection system.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171–180, 182–183), including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95–454 (5 U.S.C. ch. 71), $43,385,000, including $1,500,000, to remain available through September 30, 2005, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a): Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $7,774,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

For carrying out the Museum and Library Services Act of 1996, $262,596,000, to remain available until expended: Provided, That of the amount provided, $125,000 shall be awarded to the Alabama School of Math and Science at the University of Alabama for technology upgrades and library resources, $50,000 shall be awarded to the Alaska Moving Image Preservation Association, Anchorage, Alaska to digitize files/photos/videos of Alaskan history, $25,000 shall be awarded to the Alex Haley House Museum, Henning, Tennessee for care and preservation of collection, $500,000 shall be awarded to the Allen County Historical Society, Lima, Ohio, for the

"Move Our Past Forward" project to expand and develop exhibits for their Children's Discovery Museum Center, $75,000 shall be awarded to the Allentown Art Museum, Allentown, Pennsylvania, for educational programming for school districts, $100,000 shall be awarded to the Alutiiq Museum, Kodiak, Alaska to support programs to teach students and adults how to develop traditional Native arts, $200,000 shall be awarded to the American Village Citizenship Trust, Montevallo, Alabama for a national initiative for teaching American history and civics, $100,000 shall be awarded to the Arab Community Center for Economic and Social Services (ACCESS), Dearborn, Michigan, for exhibits and museum programs, $100,000 shall be awarded to the Ashland Community Arts Center, Ashland, Ohio, for Arts in Downtown project, $75,000 shall be awarded to the Athenaeum of Philadelphia, Philadelphia, Pennsylvania, to preserve library materials and access to information in the form of digital images on the Internet, $500,000 shall be awarded to the Beth Medrash Govoha, Lakewood, New Jersey, for equipment and exhibits for the Holocaust Library, $400,000 shall be awarded to the Bishop Museum in Hawaii for activities to preserve the culture of Native Hawaiians, $400,000 shall be awarded to the Bishop Museum in Hawaii to develop Native Hawaiian cultural projects in collaboration with the Peabody Museum of Massachusetts and an Alaskan museum, $900,000 shall be awarded to the Burpee Museum of Natural History, Rockford, Illinois, for community outreach and educational activities, $100,000 shall be awarded to the Campbell Center for Historic Preservation Studies, Mount Carroll, Illinois, for community outreach and program planning, $200,000 shall be awarded to the Chaldean Community Culture Center, West Bloomfield, Michigan, for programs that promote Chaldean language, history, culture and teacher training, $250,000 shall be awarded to the Chapman University, Orange, California, for technological infrastructure, $250,000 shall be awarded to the Chartiers Valley Partnership, Inc., Carnegie, Pennsylvania, for technological upgrades and educational programs at the Andrew Carnegie Free Library, $113,000 shall be awarded to the Children's Museum at La Habra, California, for a Hands On English Program, $144,000 shall be awarded to the Children's Museum of History, Natural History, Science and Technology, Utica, New York, for technology improvements, staffing and training, $400,000 shall be awarded to the Cincinnati Museum Center at Union Terminal, Cincinnati, Ohio, to develop and implement an integrated curriculum that will utilize its resources in art, science, and history when visiting the museum, $150,000 shall be awarded to the City of Hemet, California, for Hemet Public Library, for library materials and technological equipment, $387,000 shall be awarded to the City of Whittier, California, for the Whittier Public Library Children's Area and History Room, $250,000 shall be awarded to the Cleveland Health Museum, Cleveland, Ohio, for exhibits, $100,000 shall be awarded to the College of Physicians of Philadelphia, Philadelphia, Pennsylvania, to preserve medical library and art collection, $400,000 shall be awarded to the Davenport Music History Museum in Davenport, Iowa, $75,000 shall be awarded to the Delaware County Historical Society, Media, Pennsylvania, for educational programs highlighting historical themes and sites relating to Delaware County, $75,000 shall be awarded to the East Stroudsburg University, East

Stroudsburg, Pennsylvania to preserve and develop exhibits for their Vintage Radio Programs and Jazz Museum, $100,000 shall be awarded to the Elmwood Zoo, Norristown, Pennsylvania for student education programs, $75,000 shall be awarded to the Erie County, Erie, Pennsylvania, for technology upgrades for the Erie County Library, $100,000 shall be awarded to the Fender Museum of the Arts Foundation, Corona, California, for the Kids Rock Free educational program, $200,000 shall be awarded to the Fine Arts Museums of San Francisco for the De Young Museum's Art Education Program, $1,500,000 shall be awarded to the Florida Holocaust Museum, St. Petersburg, Florida, for school outreach program, $750,000 shall be awarded to the Florida International Museum, St. Petersburg, Florida, for professional activities, $1,600,000 shall be awarded to the Folger Library, Washington, DC for exhibits, operations, and public programs including education and outreach, $50,000 shall be awarded to the Forsyth County Public Library, Winston-Salem, North Carolina, for salaries, supplies, personnel and materials, $50,000 shall be awarded to the Gault Family Learning Center, Wooster, Ohio, for PALS/Parenting Resource Center/Growing Together, $250,000 shall be awarded to the General George S. Patton Jr. National Museum of Cavalry and Armor, Fort Knox, Kentucky, $500,000 shall be awarded to the George C. Marshall Foundation in Lexington, Virginia, for exhibit design and development and collection preservation, $500,000 shall be awarded to the Grout Museum, Waterloo, Iowa, for exhibits and design of the Sullivan Brothers Veterans Museum and Research Center, $200,000 shall be awarded to the Heritage Harbor Museum of Providence, Rhode Island for exhibit design and development relating Rhode Island and American history, $150,000 shall be awarded to the Hernando County Library System, Florida, for technology improvements at West Hernando Branch Library, Brooksville Main Library, Spring Hill Library, and East Hernando Branch Library, $250,000 shall be awarded to the Hesperia Community Library, Hesperia, California, $200,000 shall be awarded to the Historical Society of Western Pennsylvania, Pittsburgh, Pennsylvania for exhibit and curriculum development for the Western Pennsylvania Sports Museum at the Senator John Heinz Pittsburgh Regional History Center, $150,000 shall be awarded to the Historical Society of Western Pennsylvania, Pittsburgh, Pennsylvania for exhibit design and development for the Meadowcraft Museum of Rural Life, $250,000 shall be awarded to the Idaho State University, Pocatello, Idaho, for a Virtual Idaho Museum of Natural History project, $50,000 shall be awarded to the Imaginarium Science Center, Anchorage, Alaska to develop science exhibits and distance delivery modules, $100,000 shall be awarded to the International Museum of Women to develop exhibits on the history of women's lives worldwide, $100,000 shall be awarded to the International Storytelling Center, Jonesborough, Tennessee, $100,000 shall be awarded to the James Ford Bell Museum of Natural History, Minneapolis, Minnesota, to produce detailed exhibit design and development, $100,000 shall be awarded to the Kishacoquillas Valley Historical Society, Allensville, Pennsylvania for care and preservation of collection, $100,000 shall be awarded to the Lafayette College, Easton, Pennsylvania, for technology updates to the Skillman Library, $166,000 shall be awarded to the Madera County Resource Management Agency, Madera, California,

$21,000 shall be awarded to the Magic House, Kirkwood, Missouri for the development and design of interactive exhibits and software to be used within The Magic Library to support family literacy, $100,000 shall be awarded to the Mary Meuser Memorial Library, Easton, Pennsylvania for library upgrades, $250,000 shall be awarded to the Metropolitan Museum of Art, New York, in conjunction with the Fairbanks Museum of Art and the Anchorage Museum of History and Art, for costs of mounting the exhibit and for costs associated with bringing the exhibit to Alaska, $350,000 shall be awarded to the Michigan Space and Science Center, Jackson, Michigan, for development of the strategic plan, operational costs and personnel, $450,000 shall be awarded to the Mississippi Department of Archives and History, Jackson, Mississippi, to complete the preservation and restoration of the Eudora Welty House, $75,000 shall be awarded to the Mobile Museum of Art, Mobile, Alabama for equipment and supplies, and for exhibit design and development, $100,000 shall be awarded to the Morehouse College Library, Atlanta, Georgia for historical preservation of documents and records, $100,000 shall be awarded to the Mother Bethel Foundation, Philadelphia, Pennsylvania for care and preservation of collection at the Richard Allen Museum, $225,000 shall be awarded to the Museum of Aviation Foundation Inc., Warner Robins, Georgia, $250,000 shall be awarded to the Museum of Broadcast Communications, Chicago, Illinois for educational programming, $1,000,000 shall be awarded to the Museum of Science in Boston, Massachusetts, for technology upgrades and equipment for the National Center for Technology Literacy, $100,000 shall be awarded to the Mystic Seaport, the Museum of America and the Sea, Mystic, Connecticut to support collections, $50,000 shall be awarded to the National Canal Museum, Easton, Pennsylvania, for educational programming and exhibits on the use of transportation and industrial technology along the Lehigh Canal, $400,000 shall be awarded to the National Center for American Revolution, Wayne, Pennsylvania, for exhibit design and curriculum development for the Museum of the American Revolution at Valley Forge National Historic Park, $50,000 shall be awarded to the National Center for the Study of Civil Rights and African-American Culture, Alabama State University, Montgomery, Alabama, for support of events leading into the 50th anniversary of the Montgomery Bus Boycott, $500,000 shall be awarded to the National Civil Rights Museum in Memphis for exhibit design and development, and for educational programs, $16,000 shall be awarded to the National Distance Running Hall of Fame, Utica, New York, for display cases and to establish new interactive displays, $500,000 shall be awarded to the National Liberty Museum, Philadelphia, Pennsylvania for a teacher training program to assist educators in addressing violence in schools, $650,000 shall be awarded to the National Mississippi River Museum and Aquarium in Dubuque, Iowa for exhibits, $200,000 shall be awarded to the National Museum of American Jewish History, Philadelphia, Pennsylvania for online educational programming and technology modernization, $1,000,000 shall be awarded to the National Museum of Women in the Arts, Washington, DC, $1,000,000 shall be awarded to the Native American Cultural and Educational Authority, Oklahoma City, Oklahoma, for the Oklahoma Native American Culture Center and Museum, to be

expended only upon meeting the matching requirements in Title III, section 301(b)(2)(B) of Public Law 107–331, $300,000 shall be awarded to the Negro Leagues Baseball Museum, Kansas City, Missouri, for exhibits for the Double Play Action Center, $400,000 shall be awarded to the New York Botanical Garden's Virtual Herbarium imaging project in Bronx, New York, $900,000 shall be awarded to the New York Hall of Science to develop, expand, and display science-related educational materials, $420,000 shall be awarded to the Niagara County Historical Society, Lockport, New York, to create a state-of-the-art interpretive museum, $50,000 shall be awarded to the Northwest Museum of Arts and Culture, Spokane, Washington for the Star Nations Program, $210,000 shall be awarded to the O. Winston Link Museum, Roanoke, Virginia, for displays and digitization, $150,000 shall be awarded to the Piper's Opera House Programs, Inc., Virginia City, Nevada for exhibit design and development, educational programming, and technology modernization, $100,000 shall be awarded to the Pittsburgh Children's Museum, Pittsburgh, Pennsylvania, to expand arts and after-school programs for at-risk children, $50,000 shall be awarded to the Placer County Library, Auburn, California, to enhance library collection through the purchase of library materials, $977,000 shall be awarded to the Plano Community Library District, Plano, Illinois, for expenses related to the library, $725,000 shall be awarded to the Please Touch Museum, Philadelphia, Pennsylvania, to develop educational programs focusing on hands-on learning experiences, $100,000 shall be awarded to the Plumas County Library, Quincy, California, for library materials, $25,000 shall be awarded to the Putnam County Commissioners, Winfield, West Virginia, for technology for the public library system in Putnam County, $200,000 shall be awarded to the Rock and Roll Hall of Fame and Museum, Cleveland, Ohio for the Rockin' the Schools education program, $50,000 shall be awarded to the Saint Tikhon's Theological Seminary, South Canaan, Pennsylvania, for care and preservation of Russian artifacts, $250,000 shall be awarded to the San Bernardino County, San Bernardino, California for the San Bernardino County Museum, $100,000 shall be awarded to the Serra Cooperative Library System, San Diego, California, to provide Live Homework Help Project to help students with expert tutors for real-time online instructions, $100,000 shall be awarded to the Simon Wiesenthal Center's Los Angeles Museum for Tolerance, Los Angeles, California, for the Tools for Tolerance for Educators program to provide teacher training in diversity, tolerance and cooperation, $25,000 shall be awarded to the Southern New Hampshire Services, Inc., Manchester, New Hampshire, for exhibit acquisition for SEE Science Center, $400,000 shall be awarded to the Speed Art Museum, Louisville, Kentucky, $100,000 shall be awarded to the Standing Bear Museum and Learning Center, Ponca City, Oklahoma, $1,000,000 shall be awarded to the State Historical Society of Iowa in Des Moines, Iowa for the development of exhibits for the World Food Prize, $200,000 shall be awarded to the Taft Museum of Art, Cincinnati, Ohio for educational programming and exhibits, $1,000,000 shall be awarded to the Tennessee State University African American History Museum, Nashville, Tennessee to enhance the library facilities which will include new exhibits, expanded archives, and research programs, $24,000 shall be awarded to The Arts Guild of Old Forge,

Old Forge, New York, for the new exhibits spaces and educational programs, $50,000 shall be awarded to the Tifton-Tift County Public Library, Tifton, Georgia, $60,000 shall be awarded to the Tillamook County Library, Tillamook, Oregon for design and development of exhibits and educational programs, $100,000 shall be awarded to the Town of Greece, Rochester, New York, for the Greece Public Library Security program, $50,000 shall be awarded to the Tuskegee Multicultural Center, Tuskegee, Alabama, to provide for technology enhancements and installation of exhibits, $400,000 shall be awarded to the University of Idaho for digital archiving and preservation of historically significant American music and facilitating its access to students and scholars nationwide, $500,000 shall be awarded to the Vietnam Archives Center at Texas Tech University, Lubbock, Texas, for technology infrastructure, $250,000 shall be awarded to the Virginia Historical Society, Richmond, Virginia, to assist with educational programmatic development and for cataloging and archiving of business history records, $100,000 shall be awarded to the Virginia Living Museum for the expansion of its educational programs in its capital campaign project, $100,000 shall be awarded to the Westminster College Library, New Willmington, Pennsylvania for technology upgrades and computers and community programming, $600,000 shall be awarded to the WWII Victory Memorial Museum, Auburn, Indiana, for interpretive dioramas, education, research library and visual documentary, and $100,000 shall be awarded to the Zimmer Children's Museum, Los Angeles, California to expand the youTHink education program.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $9,300,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91–345, as amended), $1,000,000.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, $3,039,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141–167), and other laws,

$244,073,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151–188), including emergency boards appointed by the President, $11,421,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), $9,863,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $119,000,000, which shall include amounts becoming available in fiscal year 2004 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds $119,000,000: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2005, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $101,300,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than $6,600,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: Provided, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $21,658,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $26,229,300,000, to remain available until expended: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2005, $12,590,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $15,000 for official reception and representation expenses, not more than $8,241,800,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: Provided, That not less than $1,800,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2004 not needed for fiscal year 2004 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative

expenses associated solely with this information technology and telecommunications infrastructure: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

In addition, $120,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section 1616(d) or 212(b)(3) in fiscal year 2004 exceed $120,000,000, the amounts shall be available in fiscal year 2005 only to the extent provided in advance in appropriations Acts.

From funds previously appropriated for this purpose, any unobligated balances at the end of fiscal year 2003 shall be available to continue Federal-State partnerships which will evaluate means to promote Medicare buy-in programs targeted to elderly and disabled individuals under titles XVIII and XIX of the Social Security Act.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $24,500,000, together with not to exceed $63,700,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House and Senate.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $17,200,000.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: Provided, That such transferred bal-

ances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 507. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but

not limited to State and local governments and recipients of Federal research grants, shall clearly state: (1) the percentage of the total costs of the program or project which will be financed with Federal money; (2) the dollar amount of Federal funds for the project or program; and (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 508. (a) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for any abortion.

(b) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 509. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

SEC. 510. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 511. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 513. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d–2(b)) providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 514. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 515. (a) IN GENERAL.—Amounts made available under this Act for the administrative and related expenses for departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced on a pro rata basis by $50,000,000: Provided, That not later than 15 days after the enactment of this Act, the Director of the Office of Management and Budget shall report to the House and Senate Committees on Appropriations the accounts subject to the pro rata reductions and the amount to be reduced in each account.

(b) LIMITATION.—The reduction required by subsection (a) shall not apply to the Food and Drug Administration and the Indian Health Service.

SEC. 516. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act (20 U.S.C. 9134(f)), as amended by the Children's Internet Protections Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 517. None of the funds made available by this Act to carry out part D of title II of the Elementary and Secondary Education Act of 1965 may be made available to any elementary or secondary school covered by paragraph (1) of section 2441(a) of such Act (20 U.S.C. 6777(a)), as amended by the Children's Internet Protections Act and the No Child Left Behind Act, unless the local educational agency with responsibility for such covered school has made the certifications required by paragraph (2) of such section.

This division may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004".

DIVISON F—DEPARTMENTS OF TRANSPORTATION AND TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

AN ACT

Making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation and Treasury and independent agencies for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $80,903,000, of which not to exceed $2,210,000 shall be available for the immediate Office of the Secretary; not to exceed $700,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $15,403,000 shall be available for the Office of the General Counsel; not to exceed $12,312,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $8,536,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,300,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $24,612,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $1,915,000 shall be available for the Office of Public Affairs; not to exceed $1,447,000 shall be available for the Office of the Executive Secretariat; not to exceed $700,000 shall be available for the Board of Contract Appeals; not to exceed $1,268,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $2,000,000 for the Office of Intelligence and Security; and not to exceed $7,500,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: Provided further, That any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law,

excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $8,569,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $20,864,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $116,715,000, shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: Provided further, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $500,000, as authorized by 49 U.S.C. 332: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, $400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,000,000, to remain available until September 30, 2005: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731

through 41742, $52,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 104–264, $7,530,925,000, of which $4,500,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $6,053,724,000 shall be available for air traffic services program activities; not to exceed $880,684,000 shall be available for aviation regulation and certification program activities; not to exceed $218,481,000 shall be available for research and acquisition program activities; not to exceed $11,776,000 shall be available for commercial space transportation program activities; not to exceed $49,783,000 shall be available for financial services program activities; not to exceed $76,529,000 shall be available for human resources program activities; not to exceed $86,749,000 shall be available for regional coordination program activities; not to exceed $143,150,000 shall be available for staff offices; and not to exceed $29,681,000 shall be available for information services: Provided, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than $6,500,000 shall be for the contract tower cost-sharing program: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: Provided further, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activi-

ties conducted by, or coordinated through, the Working Capital Fund: Provided further, That of the amount appropriated under this heading, not to exceed $50,000 may be transferred to the Aircraft Loan Purchase Guarantee Program: Provided further, That not later than March 1, 2004, the Secretary of Transportation, in consultation with the Administrator of the Federal Aviation Administration, shall issue final regulations, pursuant to 5 U.S.C. 8335, establishing an exemption process allowing individual air traffic controllers to delay mandatory retirement until the employee reaches no later than 61 years of age: Provided further, That of the funds provided under this heading, $4,000,000 is available only for recruitment, personnel compensation and benefits, and related costs to raise the level of operational air traffic control supervisors to the level of 1,726: Provided further, That none of the funds in this Act may be obligated or expended to execute or continue to implement a memorandum of understanding or memorandum of agreement (or any revisions thereto) with representatives of any FAA bargaining unit after January 1, 2004 unless such document is filed in a central registry and catalogued in an automated, searchable database under the executive direction of appropriate management representatives at FAA headquarters: Provided further, That none of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading; to be derived from the Airport and Airway Trust Fund, $2,910,000,000, of which $2,489,158,800 shall remain available until September 30, 2006, and of which $420,841,200 shall remain available until September 30, 2004: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: Provided further, That upon initial submission to the Congress of the fiscal year 2005 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2005 through 2009, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: Provided further,

That of the funds provided under this heading, not less than $3,000,000 is for contract audit services provided by the Defense Contract Audit Agency: Provided further, That of the funds provided under this heading, $25,000,000 is available only for the Houston Area Air Traffic System.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

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

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $119,439,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2006: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,400,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,400,000,000 in fiscal year 2004, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding any other provision of law, not more than $66,254,000 of funds limited under this heading

shall be obligated for administration and not less than $20,000,000 shall be for the Small Community Air Service Development Pilot Program.

GENERAL PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 101. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant: Provided, That, the Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 102. None of the funds in this Act may be used to compensate in excess of 350 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2004.

SEC. 103. None of the funds made available in this Act may be used for engineering work related to an additional runway at Louis Armstrong New Orleans International Airport.

SEC. 104. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 105. For an airport project that the Administrator of the Federal Aviation Administration (FAA) determines will add critical airport capacity to the national air transportation system, the Administrator is authorized to accept funds from an airport sponsor, including entitlement funds provided under the "Grants-in-Aid for Airports" program, for the FAA to hire additional staff or obtain the services of consultants: Provided, That the Administrator is authorized to accept and utilize such funds only for the purpose of facilitating the timely processing, review, and completion of environmental activities associated with such project.

SEC. 106. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey.

SEC. 107. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to establish or implement a pilot program under which not more than 10 designated essential air service communities located in proximity to hub airports are required to assume 10 percent of their essential air subsidy costs for a 4-year period, commonly referred to as the EAS local participation program.

SEC. 108. Notwithstanding any other provision of law, the costs of construction of terminal and hangar buildings are allowable for an airport development project at Somerset-Pulaski County Airport-J.T. Wilson Field, Kentucky and at Pryor Field Regional Airport, Decatur, Alabama, under chapter 471 of title 49, United States Code.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration, not to exceed $337,604,000, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: Provided, That of the funds available under section 104(a)(1)(A) of title 23, United States Code, $7,000,000 shall be available for environmental streamlining activities, which may include making grants to, or entering into contracts, cooperative agreements, and other transactions, with a Federal agency, State agency, local agency, authority, association, nonprofit or for-profit corporation, or institution of higher education.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $33,843,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 2004: Provided, That within the $33,843,000,000 obligation limitation on Federal-aid highways and highway safety construction programs, not more than $462,500,000 shall be available for the implementation or execution of programs for transportation research (sections 502, 503, 504, 506, 507, and 508 of title 23, United States Code, as amended; section 5505 of title 49, United States Code, as amended; and sections 5112 and 5204–5209 of Public Law 105–178) for fiscal year 2004: Provided further, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: Provided further, That within the $232,000,000 obligation limitation on Intelligent Transportation Systems, the following sums shall be made available for Intelligent Transportation System projects that are designed to achieve the goals and purposes set forth in section 5203 of the Intelligent Transportation Systems Act of 1998 (subtitle C of title V of Public Law 105–178; 112 Stat. 453; 23 U.S.C. 502 note) in the following specified areas:

City of Huntsville, Alabama, ITS, $4,500,000;

511 Traveler Information Program in North Carolina, $400,000;

Advanced Ticket Collection and Passenger Information Systems, New Jersey, $750,000;

Advanced Traffic Analysis Center, North Dakota, $200,000;

Advanced Transportation Management Systems (ATMS), Montgomery County, Maryland, $500,000;

Alameda Corridor-East Gateway to America Project Phase II, Los Angeles, California, $1,200,000;

Alexandria ITS Real-Time Transit Enhancement Pilot Project, $410,000;

Altarum Restricted Use Technology Study, $1,750,000;

Altoona, Pennsylvania, ITS, $800,000;

Amber Alert Multi-Regional Strategic Plan, $400,000;

ATR Transportation Technology/CVISN, New Mexico, $175,000;

Auburn, Auburn Way South ITS, Washington, $1,600,000;

Bay County Area Wide Traffic Signal System, $750,000;

Cargo Watch Logistics Information System, New York, $2,500,000;

Carson Passenger Information System, $300,000;

CCTA Intelligent Transportation Systems, Vermont, $300,000;

City of Baltimore, Maryland Traffic Congestion Management, $200,000;

City of Boston Intelligent Transportation Systems, Massachusetts, $1,000,000;

City of New Rochelle, NY Traffic Signal Replacement Program, $500,000;

City of Santa Rosa, Intelligent Transportation System, $300,000;

Clark County Transit, VAST ITS, Washington, $1,600,000;

Computerization of traffic signals in Ashtabula, Ohio, $14,000;

Corona City-wide automated traffic management system, $1,000,000;

DelTrac Statewide Integration, Delaware, $1,000,000;

Demonstration project to deploy Geospatial Emergency & Response System (GEARS) for transportation, $150,000;

Detroit Metro Airport ITS, $350,000;

DuPage County Signal Interconnection Project, $300,000;

Elk Grove Traffic Operations Center, $960,000;

Fairfax County Route 1 Traffic Synchronization ITS Pilot Project, $500,000;

FAST Las Vegas (ITS—Phase 2)—Construction, $300,000;

Fiber Optic Signal Interconnect System, Tuscon, Arizona, $3,500,000;

George Washington University, Virginia Campus, $500,000;

Germantown Parkway ITS Project, Tennessee, $3,000,000;

GMU ITS Research, Virginia, $500,000;

Great Lakes ITS, Michigan, $3,000,000;

Greater Philadelphia Chamber of Commerce ITS System, Pennsylvania, $1,500,000;

Harbor Boulevard Intelligent Transportation, $800,000;

Hawthorne Street Public Access Improvements, New Bedford, Massachusetts, $150,000;

Hillsborough Area Regional Transit: Bus Tracking, Communication and Security, Florida, $750,000;

Houma, Louisiana, $1,250,000;

Houston ITS, $1,500,000;

I–70 Incident Management Plan Implementation, Colorado, $2,500,000;

I–87 Highway Speed E-Z Pass at the Woodbury Toll Barrier, $1,750,000;

I–87 Smart Corridor, $1,000,000;

I–90 Phase 2 Connector ITS Testbed—Town of North Greenbush—Rensselaer County, New York, $200,000;

Illinois Statewide ITS, $3,000,000;

Implementation of Wisconsin DOT's Fiber Optics Network, $1,000,000;

Integration and Implementation of DYNASMART-X, RHODES and CLAIRE in Houston, Texas, $500,000;

Intelligent Transportation System (Kansas City metro area), $200,000;

Intelligent Transportation Systems—Phases II and III, Ohio, $700,000;

Intelligent Transportation Systems Deployment Project, Inglewood, California, $500,000;

Intelligent Transportation Systems, City of Wichita Transit Authority, $750,000;

Intelligent Transportation Systems, Statewide and Commercial Vehicle Information Systems Network, Maryland, $750,000;

Intelligent Transportation Systems, Washington, DC Region, $500,000;

Intersection Signalization Project for the City of Virginia Beach, Virginia, $500,000;

Iowa Transportation Systems, $750,000;

ITS Baton Rouge, Louisiana, $1,250,000;

ITS Expansion in Davis and Utah Counties, Utah, $1,250,000;

ITS Logistics and Systems Management for the Gateway Cities, $250,000;

ITS Technologies, San Antonio, Texas, $200,000;

ITS, Cache Valley, Utah, $1,000,000;

Jacksonville Transportation Authority, Intelligent Transportation Initiative—Regional Planning, Florida, $750,000;

King County, County-wide Signal Program, Washington, $1,500,000;

Lincoln, Nebraska StarTran Automatic Vehicle Locator System, $1,000,000;

Los Angeles MTA Regional Universal Fare System, $500,000;

Macomb County ITS Integration, Michigan, $600,000;

Maine Statewide ITS, $1,000,000;

Market Street Signalization Improvements, $100,000;

MARTA Automated Fare Collection/Smart Card System, Georgia, $700,000;

Metrolina Transportation Management Center, $1,750,000;

Mid-America Surface Transportation Water Research Institute, North Dakota, $500,000;

Minnesota Guidestar, $1,250,000;

Missouri Statewide Rural ITS, $4,000,000;

Mobile Data Computer Network Phase II (MDCN), Wisconsin, $2,200,000;

Monroe County ATMS ITS Deployment Project, $800,000;

Montachusett Area Regional Transit (MART) AVLS, Massachusetts, $240,000;

Multi Region Advanced Traveler Information System (ATIS) for the IH–20 Corridor—Phase 1 in Texas, $550,000;

Nebraska Statewide Intelligent Transportation System Deployment, $1,000,000;

New York State Thruway Authority Traffic Operation Package for I–95 and I–87, $1,676,000;

North Bergen, New Jersey Traffic Signalization Replacement, $1,000,000;

Oklahoma Statewide ITS, $4,000,000;

Palm Tran, Palm Beach County, Florida—Automated Vehicle Location and Mobile Data Terminals, $1,000,000;

Portland State University Intelligent Transportation Research Initiative, $400,000;

Program of Projects, Washington, $2,000,000;

Project Hoosier SAFE-T, $2,000,000;

Real Time Transit Passenger Information System for the Prince George's County Dept. of Public Works, Maryland, $1,000,000;

Regional Intelligent Transportation System, Springfield, Missouri, $2,000,000;

Regional ITS Architecture and Deployment Plan for the Eagle Pass Region and Integrate with Laredo, $300,000;

Roosevelt Boulevard ITS Enhancement Pilot Program, $750,000;

Rural Freeway Management System Implementation for the IH–20 Corridor in the Tyler Region—Phase 1, $200,000;

Sacramento Area Council of Governments—ITS Projects, California, $1,175,000;

San Diego Joint Transportation Operations Center, $400,000;

Seacoast Intelligent Transportation System Congestion Relief Project, $1,000,000;

Seattle City Center ITS, Washington, $2,500,000;

Shreveport Intelligent Transportation System, Louisiana, $1,000,000;

South Carolina DOT Inroads Intelligent Transportation System, $3,500,000;

Spotswood Township, NJ; Expand and improve traffic flow with road improvements, $250,000;

SR 924 ITS Integration Project, $1,000,000;

SR112 ITS Integration Project, $300,000;

Statewide AVL Initiative, Nebraska, $300,000;

Swatara Township, Pennsylvania—Traffic Signalization Improvements, $100,000;

TalTran ITS Smartbus Program, Florida, $1,750,000;

Texas Medical Center EMS Early Warning Transportation System, $1,000,000;

Texas Statewide ITS Deployment and Integration, City of Lubbock, $400,000;

Texas Statewide ITS Deployment and Integration, Port of Galveston, $400,000;

Town of Cary Computerized Traffic Signal Project, North Carolina, $800,000;

Traffic Signal Controllers & Cabinets, District of Columbia, $400,000;

TRANSCOM Regional Architecture & TRANSMIT project, NJ, NY, & CT, $500,000;

Transportation Research Center (TRC) for Freight, Trade, Security, and Economic Strength, Georgia, $500,000;

Tukwila, Signalization Interconnect and Intelligent Transportation, Washington, $1,400,000;

Twin Cities, Minnesota Redundant Communications Pilot, $1,000,000;

Tysons Transportation Association—ITS, $250,000;

University of Kentucky Transportation Center, $1,000,000;

Ventura County Intelligent Transportation System, $1,000,000;

West Baton Rouge Parish Joint Operations Emergency Communications Center, $800,000;

Wisconsin CVISN Level One Deployment, $800,000; and

Wyoming Statewide ITS Initiative, $4,000,000.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $34,000,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

FEDERAL-AID HIGHWAYS

MISCELLANEOUS HIGHWAY AND HIGHWAY SAFETY PROGRAMS

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, from the available unobligated balances under the programs for which funds are authorized under sections 1101(a)(1), 1101(a)(2), 1101(a)(3), 1101(a)(4), and 1101(a)(5) of Public Law 105–178, as amended, $15,000,000 shall be made available for planning and design activities, and initiation of construction of the project at Pennsylvania Avenue in front of the White House; $20,000,000 shall be made available to provide grants to States for the development or enhancement of notification or communications systems along highways for alerts and other information for the recovery of abducted children under section 303 of Public Law 108–21; $8,000,000 shall be made available to the Federal Motor Carrier Safety Administration to make grants to States for implementation of section 210 of Public Law 106–159; $3,500,000 shall be made available to the Federal Motor Carrier Safety Administration for necessary operating expenses and personnel for implementation of section 210 of Public Law 106–159; $23,000,000 shall be made available to the Federal Motor Carrier Safety Administration to make grants to States for southern border

State operations for the purposes described in 49 U.S.C. 31104(f)(2)(B); $9,000,000 shall be made available to the Federal Motor Carrier Safety Administration to make grants to States for northern border truck inspections; $21,000,000 shall be made available to the Federal Motor Carrier Safety Administration to make grants to States, local governments, or other entities for commercial driver's license program improvements; $47,000,000 shall be made available to make grants to States for construction of State border safety inspection facilities at the United States border with Mexico; and $150,545,000 shall be made available to the National Highway Traffic Safety Administration for expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code: Provided, That funds shall be made available from a State's available unobligated balances in the programs funded under sections 1101(a)(1) through (5) of Public Law 105–178, as amended, in the ratio that the State's total amount of funds apportioned under such programs for fiscal year 2003 bears to the total amount of funds apportioned to all States under such programs: Provided further, That the funds made available under this heading may be transferred by the Secretary to another Federal agency, such funds to be then administered by the procedures of the Federal agency to which such funds are transferred: Provided further, That none of the funds provided to the National Highway Traffic Safety Administration may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect: Provided further, That all funds made available for obligation under this heading shall be available in the same manner as though such funds were apportioned under chapter one of title 23, United States Code, except that the Federal share payable on account of any program, project, or activity carried out with funds made available under this heading shall be 100 percent and such funds shall remain available for obligation until expended: Provided further, That all funds made available under this heading shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs set forth in this Act or any other Act.

FEDERAL-AID HIGHWAYS

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the unobligated balances of funds apportioned to each state under the program authorized under sections 1101(a)(1), 1101(a)(2), 1101(a)(3), 1101(a)(4), and 1101(a)(5) of Public Law 105–178, as amended, $207,000,000 are rescinded.

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

For necessary expenses for the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240, as amended, $125,000,000, to remain available until expended.

SEC. 110. (a) For fiscal year 2004, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid Highways amounts authorized for administrative expenses and programs funded from the administrative takedown authorized by section 104(a)(1)(A) of title 23, United States Code, for the highway use tax evasion program, for the Bureau of Transportation Statistics and for the programs, projects, and activities for which funds are made available under the heading "Federal-Aid Highways, Miscellaneous Highway and Highway Safety Programs" in this Act;

(2) not distribute an amount from the obligation limitation for Federal-aid Highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for the prior fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid Highways less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for sections set forth in paragraphs (1) through (7) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(8)) for such fiscal year less the aggregate of the amounts not distributed under paragraph (1) of this subsection;

(4) distribute the obligation limitation for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) for section 201 of the Appalachian Regional Development Act of 1965 and $2,000,000,000 for such fiscal year under section 105 of title 23, United States Code (relating to minimum guarantee) so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such section (except in the case of section 105, $2,000,000,000) for such fiscal year;

(5) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4) for each of the programs that are allocated by the Secretary under title 23, United States Code (other than activities to which paragraph (1) applies and programs to which paragraph (4) applies) by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under

paragraphs (4) and (5) for Federal-aid highways and highway safety construction programs (other than the minimum guarantee program, but only to the extent that amounts apportioned for the minimum guarantee program for such fiscal year exceed $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under title 23, United States Code, in the ratio that—

(A) sums authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the sums authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid Highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982; (5) under sections 149(b) and 149(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; (8) under section 105 of title 23, United States Code (but, only in an amount equal to $639,000,000 for such fiscal year); and for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that such obligation authority has not lapsed or been used.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall after August 1 for such fiscal year revise a distribution of the obligation limitation made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code, section 160 (as in effect on the day before the enactment of the Transportation Equity Act for the 21st Century) of title 23, United States Code, and under section 1015 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1943–1945).

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds: (1) that are authorized to be appropriated for such

fiscal year for Federal-aid highways programs (other than the program under section 160 of title 23, United States Code) and for carrying out subchapter I of chapter 311 of title 49, United States Code, and highway-related programs under chapter 4 of title 23, United States Code; and (2) that the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as the distribution of obligation authority under subsection (a)(6). The funds so distributed shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL RULE.—Obligation limitation distributed for a fiscal year under subsection (a)(4) of this section for a section set forth in subsection (a)(4) shall remain available until used and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(g) Of the obligation authority distributed to a State under subsection (a)(6), an mount of obligation authority equal to the amount for each surface transportation project in such State identified in section 115 of the statement of managers accompanying this Act shall be available for carrying out each project.

(h) The obligation limitation made available for the programs, projects, and activities for which funds are made available under the heading "Federal-Aid Highways, Miscellaneous Highway and Highway Safety Program" of this Act shall remain available until used and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

SEC. 111. Notwithstanding any other provision of law:

(1) Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 112 Stat. 191; 115 Stat. 871) is amended—

(A) in paragraph (42), by striking "Fulton, Mississippi," the first time that it appears and all that follows to the end of the paragraph and inserting "Fulton, Mississippi."; and

(B) by adding at the end the following:

"(45) The United States Route 78 Corridor from Memphis, Tennessee, to Corridor X of the Appalachian development highway system near Fulton, Mississippi, and Corridor X of the Appalachian development highway system extending from near Fulton, Mississippi, to near Birmingham, Alabama.".

(2) Section 1105(e)(5) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 115 Stat. 872) is amended—

(A) in subparagraph (A) by striking "(A) IN GENERAL.—The portions" and all that follows through the end of the first sentence and inserting:

"(A) IN GENERAL.—The portions of the routes referred to in subsection (c)(1), subsection (c)(3) (relating solely to the Kentucky Corridor), clauses (i), (ii), and (except with respect to Georgetown County) (iii) of subsection (c)(5)(B), subsection (c)(9), subsections (c)(18) and (c)(20), subsection (c)(36), subsection (c)(37), subsection (c)(40), subsection

(c)(42), and subsection (c)(45) that are not a part of the Interstate System are designated as future parts of the Interstate System."; and

(B) by adding the following at the end of subparagraph (B)(i): "The route referred to in subsection (c)(45) is designated as Interstate Route I–22.".

SEC. 112. Notwithstanding any other provision of law, in section 1602 of the Transportation Equity Act for the 21st Century—

(1) item number 230 is amended by striking "Monroe County transportation improvements on Long Pond Road, Pattonwood Road, and Lyell Road" and inserting "Route 531/Brockport-Rochester Corridor in Monroe County, New York".

(2) Item number 1149 is amended by striking "Traffic Mitigation Project on William Street and Losson Road in Cheektowaga" and inserting "Study and implement mitigation and diversion options for William Street and Broadway Street in Cheektowaga, I–90 Corridor Study; Interchange 53 to Interchange 49, PIN 552830 and Cheektowaga Rails to Trails, PIN 575508".

(3) Item number 476 is amended by striking "Expand Perkins Road in Baton Rouge" and inserting "Feasibility study, design, and construction of a connector between Louisiana Highway 1026 and I–12 in Livingston Parish".

(4) Item 4 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century, relating to construction of a bike path in Michigan, is amended by striking "between Mount Clemens and New Baltimore" and inserting "for the Macomb Orchard Trail in Macomb County".

(5) Item number 1077 is amended by striking "Construct I–95–I–26 interchange, Orangeburg Co" and inserting "Expand Transportation Research Center, South Carolina State University, Orangeburg, SC".

(6) Item number 897 is amended by striking "Upgrade Bishop Ford Expressway/142nd St. interchange" and inserting "Road upgrade and access road near the intersection of I–80 and I–57 in Country Club Hills, Illinois".

(7) Item number 436 is amended by inserting after "Ohio River Major Investment Study Project, Kentucky and Indiana" the following: ", and preliminary engineering and right of way acquisition associated with the project".

SEC. 113. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 114. Intelligent Transportation Systems appropriations made to the State of Wisconsin in Public Law 105–277, Public Law 106–69, and Public Law 107–87 shall not be subject to the limitations of Public Law 105–178, section 5208(d), 23 U.S.C. 502 note.

SEC. 115. Notwithstanding any other provision of law, from the available unobligated balances under the programs for which funds are authorized under sections 1101(a)(1), 1101(a)(2), 1101(a)(3), 1101(a)(4), and 1101(a)(5) of Public Law 105–178, as amended, of

each State for which a project or projects in such State identified under this section in the statement of managers accompanying this Act shall be made available for necessary expenses to carry out such project: Provided, That the amount identified for each such project shall be made available from the State's unobligated balance in any of the five specified programs for which the project would be eligible, such selection to be at the option of the State: Provided further, That if a project is not otherwise eligible for funding under one of the five programs, then such project shall be deemed eligible and shall be funded from the unobligated balance of funds made available for the program for which funds are authorized under section 1101(a)(4) of Public Law 105–178, as amended, but not including funds setaside pursuant to 133(d) of title 23, United States Code: Provided further, That funds made available under this section may, at the request of a State, be transferred by the Secretary to another Federal agency to carry out a project funded under this section, such funds to be then administered by the procedures of the Federal agency to which such funds may be transferred: Provided further, That all funds made available for obligation under this section shall be available in the same manner as though such funds were apportioned under chapter one of title 23, United States Code, except that the Federal share payable on account of any program, project, or activity carried out with funds made available under this heading shall be 100 percent and such funds shall remain available for obligation until expended: Provided further, That all funds made available in this section shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs set forth in this Act or any other Act.

SEC. 116. Notwithstanding Public Law 105–178, section 5208(d), Intelligent Transportation Systems appropriations for—

(1) Wausau-Stevens Point-Wisconsin Rapids, Wisconsin, in Public Law 105–277 and Public Law 106–69 shall be available for use in the counties of Ashland, Barron, Bayfield, Burnett, Chippewa, Douglas, Iron, Lincoln, Marathon, Polk, Portage, Price, Rusk, Sawyer, Taylor, Washburn, Wood, Clark, Langlade, and Oneida; and

(2) the City of Superior and Douglas County, Wisconsin, in Public Law 106–69 shall be available for use in the City of Superior and northern Wisconsin.

SEC. 117. (a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Transportation shall enter into an agreement with the State of Nevada, the State of Arizona, or both, to provide a method of funding for construction of a Hoover Dam Bypass Bridge from funds allocated for the Federal Lands Highway Program under section 202(b) of title 23, United States Code.

(b) METHODS OF FUNDING.—

(1) The agreement entered into under subsection (a) shall provide for funding in a manner consistent with the advance construction and debt instrument financing procedures for Federal-aid highways set forth in section 115 and 122 of title 23, except that the funding source may include funds made available under the Federal Lands Highway Program.

(2) Eligibility for funding under this subsection shall not be construed as a commitment, guarantee, or obligation on the

part of the United States to provide for payment of principal or interest of an eligible debt financing instrument as so defined in section 122, nor create a right of a third party against the United States for payment under an eligible debt financing instrument. The agreement entered into pursuant to subsection (a) shall make specific reference to this provision of law.

(3) The provisions of this section do not limit the use of other available funds for which the project referenced in subsection (a) is eligible.

SEC. 118. Section 1108 of the Intermodal Surface Transportation Efficiency Act of 1991, item number 8, is amended by striking "To relocate" and all that follows through "Street" and inserting the following, "For road improvements and non-motorized enhancements in the Detroit East Riverfront, Detroit, Michigan".

SEC. 119. The funds provided under the heading "Transportation and Community and System Preservation Program" in Conference Report 106–940 for the Lodge Freeway pedestrian overpass, Detroit, Michigan, shall be transferred to, and made available for, enhancements in the East Riverfront, Detroit, Michigan.

SEC. 120. The funds provided under the heading "Transportation and Community and System Preservation Program" in Conference Report 107–308 for the Eastern Market pedestrian overpass park, shall be transferred to, and made available for, enhancements in the East Riverfront, Detroit, Michigan.

SEC. 121. KANSAS RECREATION AREAS. Any unexpended balances of the amounts made available by the Consolidated Appropriations Resolution, 2003 (Public Law 108–7) from the Federal-aid highway account for improvements to Council Grove Lake, Kansas, shall be available to make improvements to Richey Cove, Santa Fe Recreation Area, Canning Creek Recreation Area, and other areas in the State of Kansas.

SEC. 122. Section 330 of Public Law 108–7 is amended to read as follows: In addition to amounts otherwise made available in this Act, to enable the Secretary of Transportation to make grants for surface transportation projects, $90,600,000 to remain available until expended: Provided, That notwithstanding any other provision of law, the surface transportation projects identified in the Joint Explanatory Statement of the Committee of Conference accompanying this Act are also eligible for funding made available by the immediately preceding clause of this provision: Provided further, That notwithstanding any other provision of law and the immediately preceding clause of this provision, the Secretary of Transportation may use amounts made available by this section to make grants for any surface transportation project otherwise eligible for funding under title 23 or title 49 of the United States Code.

SEC. 123. (a) Section 14501 of title 40, United States Code is amended in the third sentence by striking "three thousand and twenty-five" and inserting "three thousand and ninety".

(b) There is hereby designated as Corridor X–1 in Alabama an addition to the Appalachian development highway system. Corridor X–1 shall extend approximately sixty-five miles along the alignment of the Birmingham Northern Beltline from Interstate 20/59, in the vicinity of Interstate 459 southwest of Birmingham, and extending northward crossing State Route 269 and Corridor X and continuing eastward crossing Interstate 65, United States Route 31, State

Route 79, State Route 75, Interstate 59, United States Route 11, United States Route 411, and connecting to Interstate 20 to the east of Birmingham. Corridor X–1 shall be developed as a multi-lane freeway, with interchanges at appropriate crossroad locations.

SEC. 124. MOTORIST INFORMATION CONCERNING PHARMACY SERVICES. (a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall amend the Manual on Uniform Traffic Control Devices to include a provision permitting information to be provided to motorists to assist motorists in locating licensed 24-hour pharmacy services open to the public.

(b) LOGO PANEL.—The provision under subsection (a) may allow placement of a logo panel that displays information disclosing the names or logos of pharmacies described in subsection (a) that are located within 3 miles of an interchange on the Federal-aid system (as defined in section 101 of title 23, United States Code).

SEC. 125. Notwithstanding any other provision of law, funds obligated for pre-implementation costs, project design, and implementation costs of the I–15 Congestion Pricing Project, also known as the I–15 FasTrack project located in the city of San Diego shall be eligible for funding the costs incurred under such project. The Federal share payable for the total cost of the project shall not exceed 80 percent.

SEC. 126. The project name in House Report 108–10, delineating projects referenced in Division I, Section 330, of the Fiscal Year 2003 Omnibus Appropriations Act, Public Law 108–7, is amended by striking "Freight Enhancement KY Highlands, Kentucky," and inserting "Kentucky Highlands, Freight Enhancement Revolving Loan Fund, Kentucky". Notwithstanding any other provision of law, such revolving loan fund shall be eligible for the funding made available under this section and administered consistent with section 1511 of Public Law 105–178, except that such assistance shall be to assist in financing freight enhancement projects and that capitalization of such fund shall be limited to the amount made available by Division I, Section 330 of Public Law 108–7.

SEC. 127. The amount made available for obligation in fiscal year 2003 for the project Kannapolis Parkway & Interstate 85 Interchange-Kannapolis, North Carolina as specified in section 329 of Public Law 108–7 and on page 1317 of the Joint Committee of the Conference pursuant to the Joint Resolution Making Consolidated Appropriations for fiscal year 2003 shall be reprogrammed and transferred to and made available for obligation for "Kannapolis Industrial Park Access Road-Kannapolis, North Carolina".

SEC. 128. Section 378 of the Department of Transportation and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–346; 114 Stat. 1356A–40) is amended by striking "$5,000,000 for improvements to US 73 from State Avenue North to Marxen Road in Wyandotte County, Kansas" and inserting "$5,000,000 for improvements to US 73 from State Avenue north to Marxen Road, and along US 73 on State Avenue eastward to its terminus at I–435, in Wyandotte County, Kansas".

SEC. 129. Section 375 of division I of the Consolidated Appropriations Resolution, 2003 (117 Stat. 428) is amended by inserting before the period at the end the following: ", including construction

of a connector road between the newly relocated State Route 1045 and Saint Vincent College, Latrobe, PA".

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY

LIMITATION ON ADMINISTRATIVE EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding any other provision of law, none of the funds in this Act shall be available for expenses for administration of motor carrier safety programs and motor carrier safety research, the obligations for which are in excess of $176,070,000 for fiscal year 2004: Provided, That notwithstanding any other provision of law, for payment of obligations incurred to pay administrative expenses of the Federal Motor Carrier Safety Administration, $176,070,000, to be derived from the Highway Trust Fund and to remain available until expended.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 31102, 31106 and 31309, $190,000,000, to be derived from the Highway Trust Fund and to remain available until expended: Provided, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $190,000,000 for "Motor Carrier Safety Grants", and "Information Systems".

GENERAL PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

SEC. 131. No funds appropriated or otherwise made available by this Act may be used to implement or enforce any provisions of the Final Rule, issued on April 16, 2003 (Docket No. FMCSA–97–2350), with respect to either of the following:

(1) The operators of utility service vehicles, as that term is defined in section 395.2 of title 49, Code of Federal Regulations.

(2) Maximum daily hours of service for drivers engaged in the transportation of property or passengers to or from a motion

picture or television production site located within a 100-air mile radius of the work reporting location of such drivers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, $72,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2004, are in excess of $72,000,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to the National Driver Register under chapter 303 of title 49, United States Code, $3,600,000, to be derived from the Highway Trust Fund, and to remain available until expended.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, and 410, to remain available until expended, $225,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2004, are in excess of $225,000,000 for programs authorized under 23 U.S.C. 402, 405, and 410, of which $165,000,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402, $20,000,000 shall be for "Occupant Protection Incentive Grants" under 23 U.S.C. 405, and $40,000,000 shall be for "Alcohol-Impaired Driving Countermeasures Grants" under 23 U.S.C. 410: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: Provided further, That not to exceed $8,150,000 of the funds made available for section 402, not to exceed $1,000,000 of the funds made available for section 405, and not to exceed $2,000,000 of the funds made available for section 410 shall be available to NHTSA for administering highway safety grants under chapter 4 of title 23, United States Code: Provided further, That not to exceed $500,000 of the funds made available for

section 410 "Alcohol-Impaired Driving Countermeasures Grants" shall be available for technical assistance to the States.

GENERAL PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. Notwithstanding any other provision of law, States may use funds provided in this Act under section 402 of title 23, United States Code, to produce and place highway safety public service messages in television, radio, cinema, and print media, and on the Internet in accordance with guidance issued by the Secretary of Transportation: Provided, That any State that uses funds for such public service messages shall submit to the Secretary a report describing and assessing the effectiveness of the messages: Provided further, That $10,000,000 of the funds allocated under section 157 of title 23, United States Code, shall be used as directed by the National Highway Traffic Safety Administrator to purchase national paid advertising (including production and placement) to support national safety belt mobilizations: Provided further, That, of the funds allocated under section 163 of title 23, United States Code, $2,750,000 shall be used as directed by the Administrator to support national impaired driving mobilizations and enforcement efforts, $14,000,000 shall be used as directed by the Administrator to purchase national paid advertising (including production and placement) to support such national impaired driving mobilizations and enforcement efforts, $500,000 shall be used as directed by the Administrator to conduct an evaluation of alcohol-impaired driving messages, and $3,000,000 shall be used as directed by the Administrator to conduct an impaired driving demonstration program.

SEC. 141. Notwithstanding any other provision of law, funds appropriated or limited in the Act to educate the motoring public on how to share the road safely with commercial motor vehicles shall be administered by the National Highway Traffic Safety Administration.

SEC. 142. Notwithstanding any other provision of law, for fiscal year 2004 the Secretary of Transportation is authorized to use amounts made available to carry out section 157 of title 23, United States Code, to make innovative project allocations, not to exceed the prior year's amounts for such allocations, before making incentive grants for use of seat belts.

SEC. 143. Notwithstanding any other provision of law, for fiscal year 2004 the Secretary of Transportation is authorized to use the amounts made available to carry out section 163 of title 23, United States Code, to support national mobilizations that target impaired drivers, in cooperation with the States and nonprofit safety organizations that have been active participants in such mobilizations. Such support shall include impaired driving enforcement grants, broadcast advertising to be used as directed by the Secretary, evaluation of these activities, and a demonstration project to test new and improved strategies in States where the largest gains in reducing alcohol-related fatalities can be made, as determined by the Secretary.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $130,825,000, of which $11,712,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $34,025,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2004: Provided further, That no payments of principal or interest shall be collected during fiscal year 2004 for the direct loan made to the National Railroad Passenger Corporation under section 502 of such Act.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 U.S.C. 26101 and 26102, $37,400,000, to remain available until expended.

ALASKA RAILROAD REHABILITATION

To enable the Secretary of Transportation to make grants to the Alaska Railroad, $25,000,000 shall be for capital rehabilitation and improvements benefiting its passenger operations, to remain available until expended.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, $1,225,000,000, to remain available until September 30, 2004: Provided, That the Secretary of Transportation shall approve funding to cover operating losses and capital expenditures, including advance purchase orders, for the National Railroad Passenger Corporation only after receiving and reviewing a grant request for each specific train route: Provided further, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: Provided further, That the Secretary of Transportation shall reserve $60,000,000 of the funds provided under this heading and is authorized to transfer such sums to the Surface Transportation Board, upon request from said Board, to carry out directed service orders issued pursuant to sec-

tion 11123 of title 49, United States Code to respond to the cessation of commuter rail operations by the National Railroad Passenger Corporation: Provided further, That the Secretary of Transportation shall make the reserved funds available to the National Railroad Passenger Corporation through an appropriate grant instrument during the fourth quarter of fiscal year 2004 to the extent that no directed service orders have been issued by the Surface Transportation Board as of the date of transfer or there is a balance of reserved funds not needed by the Board to pay for any directed service order issued through September 30, 2004: Provided further, That not later than 60 days after enactment of this Act, Amtrak shall transmit, in electronic format, to the Secretary of Transportation, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation a comprehensive business plan approved by the Board of Directors for fiscal year 2005 under section 24104(a) of title 49, United States Code: Provided further, That the business plan shall include, as applicable, targets for ridership, revenues, and capital and operating expenses: Provided further, That the plan shall also include a separate accounting of such targets for the Northeast Corridor; commuter service; long-distance Amtrak service; state-supported service; each intercity train route; including Autotrain; and commercial activities including contract operations and mail and express: Provided further, That the business plan shall include a description of the work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by this business plan: Provided further, That not later than December 1, 2003 and no later than 30 days following the last business day of the previous month thereafter, Amtrak shall submit to the Secretary of Transportation and the House and Senate Committees on Appropriations a supplemental report, in electronic format, regarding the pending business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes: Provided further, That none of the funds in this Act may be used for operating expenses, including advance purchase orders, and capital projects not approved by the Secretary of Transportation nor on the National Railroad Passenger Corporation's fiscal year 2004 business plan: Provided further, That Amtrak shall display the business plan and all subsequent supplemental plans on the Corporation's website within a reasonable timeframe following their submission to the appropriate entities: Provided further, That none of the funds under this heading may be obligated or expended until the National Railroad Passenger Corporation agrees to continue abiding by the provisions of paragraphs 1, 2, 3, 5, 9, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act.

GENERAL PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. To authorize the Surface Transportation Board to direct the continued operation of certain commuter rail passenger transportation operations in emergency situations, and for other purposes:

(a) Section 11123 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting "failure of existing commuter rail passenger transportation operations caused by a cessation of service by the National Railroad Passenger Corporation," after "cessation of operations,";

(B) by striking "or" at the end of paragraph (3);

(C) by striking the period at the end of paragraph (4)(C) and inserting "; or"; and

(D) by adding at the end the following new paragraph:

"(5) in the case of a failure of existing freight or commuter rail passenger transportation operations caused by a cessation of service by the National Railroad Passenger Corporation, direct the continuation of the operations and dispatching, maintenance, and other necessary infrastructure functions related to the operations.";

(2) in subsection (b)(3)—

(A) by striking "When" and inserting "(A) Except as provided in subparagraph (B), when"; and

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

"(B) In the case of a failure of existing freight or commuter rail passenger transportation operations caused by a cessation of service by the National Railroad Passenger Corporation, the Board shall provide funding to fully reimburse the directed service provider for its costs associated with the activities directed under subsection (a), including the payment of increased insurance premiums. The Board shall order complete indemnification against any and all claims associated with the provision of service to which the directed rail carrier may be exposed.";

(3) by adding the following new paragraph at the end of subsection (c):

"(4) In the case of a failure of existing freight or commuter rail passenger transportation operations caused by cessation of service by the National Railroad Passenger Corporation, the Board may not direct a rail carrier to undertake activities under subsection (a) to continue such operations unless—

"(A) the Board first affirmatively finds that the rail carrier is operationally capable of conducting the directed service in a safe and efficient manner; and

"(B) the funding for such directed service required by subparagraph (B) of subsection (b)(3) is provided in advance in appropriations Acts."; and

(4) by adding at the end the following new subsections:

"(e) For purposes of this section, the National Railroad Passenger Corporation and any entity providing commuter rail passenger transportation shall be considered rail carriers subject to the Board's jurisdiction.

"(f) For purposes of this section, the term 'commuter rail passenger transportation' has the meaning given that term in section 24102(4).".

(b) Section 24301(c) of title 49, United States Code, is amended by inserting "11123," after "except for sections".

SEC. 151. For the purpose of assisting State-supported intercity rail service, in order to demonstrate whether competition will provide higher quality rail passenger service at reasonable prices, the Secretary of Transportation, working with affected States, shall de-

velop and implement a procedure for fair competitive bidding by Amtrak and non-Amtrak operators for State-supported routes: Provided, That in the event a State desires to select or selects a non-Amtrak operator for the route, the State may make an agreement with Amtrak to use facilities and equipment of, or have services provided by, Amtrak under terms agreed to by the State and Amtrak to enable the non-Amtrak operator to provide the State-supported service: Provided further, That if the parties cannot agree on terms, the Secretary shall, as a condition of receipt of Federal grant funds, order that the facilities and equipment be made available and the services be provided by Amtrak under reasonable terms and compensation: Provided further, That when prescribing reasonable compensation to Amtrak, the Secretary shall consider quality of service as a major factor when determining whether, and the extent to which, the amount of compensation shall be greater than the incremental costs of using the facilities and providing the services: Provided further, That the Secretary may reprogram up to $2,500,000 from the Amtrak operating grant funds for costs associated with the implementation of the fair bid procedure and demonstration of competition under this section.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $15,100,000: Provided, That no more than $75,500,000 of budget authority shall be available for these purposes: Provided further, That of the funds available not to exceed $970,938 shall be available for the Office of the Administrator; not to exceed $6,755,434 shall be available for the Office of Administration; not to exceed $3,892,622 shall be available for the Office of the Chief Counsel; not to exceed $1,168,780 shall be available for the Office of Communication and Congressional Affairs; not to exceed $7,157,766 shall be available for the Office of Program Management; not to exceed $6,231,332 shall be available for the Office of Budget and Policy; not to exceed $4,854,892 shall be available for the Office of Demonstration and Innovation; not to exceed $2,717,034 shall be available for the Office of Civil Rights; not to exceed $3,667,320 shall be available for the Office of Planning; not to exceed $19,050,044 shall be available for regional offices; and not to exceed $16,838,838 shall be available for the central account: Provided further, That the Administrator is authorized to transfer funds appropriated for an office of the Federal Transit Administration: Provided further, That no appropriation for an office shall be increased or decreased by more than 3 percent by all such transfers: Provided further, That any change in funding greater than 3 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: Provided further, That not less than $2,200,000 for the National

transit database shall remain available until expended: Provided further, That upon submission to the Congress of the fiscal year 2005 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on new starts, proposed allocations of funds for fiscal year 2005: Provided further, That the amount herein appropriated shall be reduced by $100,000 per day for each day after initial submission of the President's budget that the report has not been submitted to the Congress.

FORMULA GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, and section 3038 of Public Law 105–178, $767,800,000, to remain available until expended: Provided, That no more than $3,839,000,000 of budget authority shall be available for these purposes: Provided further, That notwithstanding section 3008 of Public Law 105–178, $50,000,000 of the funds to carry out 49 U.S.C. 5308 shall be transferred to and merged with funding provided for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities under "Federal Transit Administration, Capital investment grants".

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 U.S.C. 5505, $1,200,000, to remain available until expended: Provided, That no more than $6,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5303, 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322, $25,200,000, to remain available until expended: Provided, That no more than $126,000,000 of budget authority shall be available for these purposes: Provided further, That $5,250,000 is available to provide rural transportation assistance (49 U.S.C. 5311(b)(2)), $4,000,000 is available to carry out programs under the National Transit Institute (49 U.S.C. 5315), $8,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5313(a)), $60,385,600 is available for metropolitan planning (49 U.S.C. 5303, 5304, and 5305), $12,614,400 is available for State planning (49 U.S.C. 5313(b)); and $35,500,000 is available for the national planning and research program (49 U.S.C. 5314).

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334, 5505, and sections 3037 and 3038 of Public Law 105–178, $5,847,200,000, to remain available until expended, and to be derived from the Mass Transit Account of the Highway Trust Fund: Provided, That $3,071,200,000 shall be paid to the Federal Transit Administration's formula grants account:

Provided further, That $100,800,000 shall be paid to the Federal Transit Administration's transit planning and research account: Provided further, That $60,400,000 shall be paid to the Federal Transit Administration's administrative expenses account: Provided further, That $4,800,000 shall be paid to the Federal Transit Administration's university transportation research account: Provided further, That $100,000,000 shall be paid to the Federal Transit Administration's job access and reverse commute grants program: Provided further, That $2,510,000,000 shall be paid to the Federal Transit Administration's capital investment grants account.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, $627,500,000, to remain available until expended: Provided, That no more than $3,137,500,000 of budget authority shall be available for these purposes: Provided further, That there shall be available for fixed guideway modernization, $1,206,506,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $607,200,000, which shall include $50,000,000 made available under 5309(m)(3)(C) of this title, plus $50,000,000 transferred from "Federal Transit Administration, Formula Grants" and $20,000,000 transferred from "Federal Transit Administration, Job Access and Reverse Commute Grants"; and there shall be available for new fixed guideway systems $1,323,794,000, together with $2,331,545 in unobligated balances made available in Public Law 106–69 and $2,182,937 in unobligated balances made available in Public Law 106–346 to carry out section 3037 of Public Law 105–178, as amended, to be available as follows:

Atlanta, Georgia, Northwest Corridor BRT, $2,149,413;

Baltimore, Maryland, Central Light Rail Double Track Project, $40,000,000;

BART San Francisco Airport (SFO), California, Extension Project, $100,000,000;

Birmingham—Transit Corridor, Alabama, $3,500,000;

Boston, Massachusetts, Silver Line Phase III, $2,000,000;

Charlotte, North Carolina, South Corridor Light Rail Project, $12,000,000;

Chicago, Illinois, Metra Commuter Rail Expansions and Extensions, $52,000,000;

Chicago, Illinois, Ravenswood Reconstruction, $10,000,000;

Chicago, Illinois, Transit Authority, Douglas Branch Reconstruction, $85,000,000;

Dallas, Texas, North Central Light Rail Extension, $30,161,283;

Denver, Colorado, Southeast Corridor LRT (T-REX), $80,000,000;

East Side Access Project, New York, Phase I, $75,000,000;

Euclid Corridor Transportation Project, Ohio, $11,000,000;

Fort Lauderdale, Florida, Tri-Rail Commuter Project, $18,410,000;

Hawaii and Alaska Ferry Boats, $10,296,000;

Houston Advanced Metro Transit Plan, Texas, $8,000,000;

Integrated Intermodal project, Rhode Island, $3,000,000;

Kenosha-Racine-Milwaukee Commuter Rail Extension, Wisconsin, $3,250,000;

Las Vegas, Nevada, Resort Corridor Fixed Guideway, MOS, $20,000,000;

Little Rock, Arkansas, River Rail Streetcar Project, $3,000,000;

Maine Marine Highway, $1,550,000;

Memphis, Tennessee, Medical Center Rail Extension, $9,247,588;

Minneapolis, Minnesota, Hiawatha Corridor Light Rail Transit (LRT), $74,980,000;

Minneapolis, Minnesota, Northstar Corridor Rail Project, $5,750,000;

New Orleans, Louisiana, Canal Street Streetcar Project, $23,291,373;

New York, Second Avenue Subway, $2,000,000;

Newark, New Jersey, Rail Link (NERL) MOS1, $22,566,022;

Northern Oklahoma Regional Multimodal Transportation System, $3,000,000;

Northern, New Jersey, Hudson-Bergen Light Rail (MOS2), $100,000,000;

Phase II, LA to Pasadena Metro Gold Line Light Rail Project, $4,000,000;

Philadelphia, Pennsylvania, Schuylkill Valley Metro, $14,000,000;

Phoenix, Arizona, Central Phoenix/East Valley Light Rail Transit Project, $13,000,000;

Pittsburgh, Pennsylvania, North Shore Connector, $10,000,000;

Pittsburgh, Pennsylvania, Stage II Light Rail Transit Reconstruction, $32,243,442;

Portland, Oregon, Interstate MAX Light Rail Extension, $77,500,000;

Raleigh, North Carolina, Triangle Transit Authority Regional Rail Project, $5,500,000;

Regional Commuter Rail (Weber County to Salt Lake City), Utah, $9,000,000;

Salt Lake City, Utah, Medical Center LRT Extension, $30,663,361;

San Diego, California, Mission Valley East Light Rail Transit Extension, $65,000,000;

San Diego, California, Oceanside-Escondido Rail Project, $48,000,000;

San Francisco, California Muni Third Street Light Rail Project, $9,000,000;

San Jose, California, Silicon Valley Rapid Transit Corridor, $2,000,000;

Scranton, Pennsylvania, NY City Rail Service, $2,500,000;

Seattle, Washington, Sound Transit Central Link Initial Segment, $75,000,000;

South Shore Commuter Rail Service capacity enhancement, $1,000,000;

Stamford, Connecticut, Urban Transitway & Intermodal Transportation Center Improvements, $4,000,000;

Tren Urbano Rapid Transit System, San Juan, PR, $20,000,000;

VRE Parking Improvements, Virginia, $3,000,000;

Washington, DC/VA Dulles Corridor Rapid Transit Project, $20,000,000;

Washington, DC/MD, Largo Extension, $65,000,000;

Western North Carolina Rail Passenger Service, $1,000,000;

Wilmington, Delaware, Train Station Improvements, $1,500,000;

Wilsonville to Beaverton, Oregon, Commuter Rail, $3,250,000; and

Yarmouth to Auburn Line, Maine, $1,000,000.

JOB ACCESS AND REVERSE COMMUTE GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out section 3037 of the Federal Transit Act of 1998, $25,000,000, to remain available until expended: Provided, That no more than $125,000,000 of budget authority shall be available for these purposes: Provided further, That up to $300,000 of the funds provided under this heading may be used by the Federal Transit Administration for technical assistance and support and performance reviews of the Job Access and Reverse Commute Grants program: Provided further, That $20,000,000 of the funds provided under this heading shall be transferred to and merged with funds for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities under "Federal Transit Administration, Capital Investment Grants": Provided further, That $2,331,545 in unobligated balances made available in Public Law 106–69 and $2,182,937 in unobligated balances made available in Public Law 106–346 to carry out section 3037 of Public Law 105–178, as amended, shall be transferred to and merged with funds for new fixed guideway systems under "Federal Transit Administration, Capital Investment Grants".

GENERAL PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under "Federal Transit Administration, Capital investment grants" for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2006, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2003, under any section of chapter 53 of title 49, United States Code, that remain available for

expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Funds made available for Alaska or Hawaii ferry boats or ferry terminal facilities pursuant to 49 U.S.C. 5309(m)(2)(B) may be used to construct new vessels and facilities, or to improve existing vessels and facilities, including both the passenger and vehicle-related elements of such vessels and facilities, and for repair facilities: Provided, That not more than $3,000,000 of the funds made available pursuant to 49 U.S.C. 5309(m)(2)(B) may be used by the State of Hawaii to initiate and operate a passenger ferryboat services demonstration project to test the viability of different intra-island and inter-island ferry boat routes and technology: Provided further, That notwithstanding 49 U.S.C. 5302(a)(7), funds made available for Alaska or Hawaii ferry boats may be used to acquire passenger ferry boats and to provide passenger ferry transportation services within areas of the State of Hawaii under the control or use of the National Park Service.

SEC. 164. Notwithstanding any other provision of law, funds made available to the Colorado Roaring Fork Transportation Authority under "Federal Transit Administration, Capital investment grants" in Public Laws 106–69 and 106–346 shall be available for expenditure on park and ride lots in Carbondale and Glenwood Springs, Colorado as part of the Roaring Fork Valley Bus Rapid Transit project.

SEC. 165. Notwithstanding any other provision of law, unobligated funds made available for a new fixed guideway systems projects under the heading "Federal Transit Administration, Capital Investment Grants" in any appropriations act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects.

SEC. 166. (a) IN GENERAL.—The Secretary shall establish a pilot program to determine the benefits of encouraging cooperative procurement of major capital equipment under sections 5307, 5309, and 5311. The program shall consist of three pilot projects. Cooperative procurements in these projects may be carried out by grantees, consortiums of grantees, or members of the private sector acting as agents of grantees.

(b) FEDERAL SHARE.—Notwithstanding any other provision of law, the Federal share for a grant under this pilot program shall be 90 percent of the net project cost.

(c) PERMISSIBLE ACTIVITIES.—

(1) DEVELOPING SPECIFICATIONS.—Cooperative specifications may be developed either by the grantees or their agents.

(2) REQUESTS FOR PROPOSALS.—To the extent permissible under state and local law, cooperative procurements under this section may be carried out, either by the grantees or their agents, by issuing one request for proposal for each cooperative procurement, covering all agencies that are participating in the procurement.

(3) BEST AND FINAL OFFERS.—The cost of evaluating best and final offers either by the grantees or their agents, is an eligible expense under this program.

(d) TECHNOLOGY.—To the extent feasible, cooperative procurements under this section shall maximize use of Internet-based software technology designed specifically for transit buses and other

major capital equipment to develop specifications; aggregate equipment requirements with other transit agencies; generate cooperative request for proposal packages; create cooperative specifications; and automate the request for approved equals process.

(e) ELIGIBLE EXPENSES.—The cost of the permissible activities under (c) and procurement under (d) are eligible expenses under the pilot program.

(f) PROPORTIONATE CONTRIBUTIONS.—Cooperating agencies may contribute proportionately to the non-Federal share of any of the eligible expenses under (e).

(g) OUTREACH.—The Secretary shall conduct outreach on cooperative procurement. Under this program the Secretary shall: (1) offer technical assistance to transit agencies to facilitate the use of cooperative procurement of major capital equipment and (2) conduct seminars and conferences for grantees, nationwide, on the concept of cooperative procurement of major capital equipment.

(h) REPORT.—Not later than 30 days after delivery of the base order under each of the pilot projects, the Secretary shall submit to the House and Senate Committees on Appropriations a report on the results of that pilot project. Each report shall evaluate any savings realized through the cooperative procurement and the benefits of incorporating cooperative procurement, as shown by that project, into the mass transit program as a whole.

SEC. 167. Notwithstanding any other provision of law, new fixed guideway system funds available for the Yosemite, California, area regional transportation system project, in the Department of Transportation and Related Agencies Appropriations Act, 2002, Public Law 107–87, under "Capital Investment Grants", in the amount of $400,000 shall be available for obligation for the replacement, rehabilitation, or purchase of buses or related equipment, or the construction of bus related facilities: Provided, That this amount shall be in addition to the amount available in fiscal year 2002 for these purposes.

SEC. 168. Notwithstanding any other provision of law, for the purpose of calculating the non-New Starts share of the total project cost of both phases of San Francisco Muni's Third Street Light Rail Transit project for fiscal year 2004, the Secretary of Transportation shall include all non-New Starts contributions made towards Phase 1 of the two-phase project for engineering, final design and construction, and also shall allow non-New Starts funds expended on one element or phase of the project to be used to meet the non-New Starts share requirement of any element or phase of the project: Provided further, That none of the funds provided in this Act for the San Francisco Muni Third Street Light Rail Transit Project shall be obligated if the Federal Transit Administration determines that the project is found to be "not recommended" after evaluation and computation of revised transportation system user benefit data.

SEC. 169. Notwithstanding any other provision of law, funds made available under "Federal Transit Administration, Capital Investment Grants" in Public Law 105–277 for the Cleveland Berea Red Line Extension to the Hopkins International Airport project may be used for the Euclid Corridor Transportation Project.

SEC. 170. Notwithstanding any other provision of law, funds designated to the Community Transportation Association of America (CTAA) on pages 1305 through 1307 of the Joint Explanatory

Statement of the Committee of Conference for Public Law 108–7 may be available to CTAA for any project or activity authorized under section 3037 of Public Law 105–178 upon receipt of an application.

SEC. 171. After the last section of the Federal Transit Act, 49 U.S.C. Chapter 53, add the following section:

"SEC. 3042. UTAH TRANSPORTATION PROJECTS.

"(a) COORDINATION.—FTA and FHWA are directed to work with the Utah Transit Authority and the Utah Department of Transportation to coordinate the development regional commuter rail and the northern segment of I–15 reconstruction located in the Wasatch Front corridor extending from Brigham City to Payson, Utah. Coordination includes integration of preliminary engineering and design, a simplified method for allocating project costs among eligible FTA and FHWA funding sources, and a unified accounting and audit process.

"(b) GOVERNMENTAL FUNDING.—For purposes of determining and allocating the nongovernmental and governmental share of costs, the following projects comprise a related program of projects: regional commuter rail, the TRAX light rail system, TRAX extensions to the Medical Center and to the Gateway Intermodal Center, and the northern segment of I–15 reconstruction. The governmental share of project costs appropriated from the Section 5309 New Start program shall conform to the share specified in the extension or reauthorization of TEA21.".

SEC. 172. Funds apportioned to the Charleston Area Regional Transportation Authority to carry out section 5307 of title 49, United States Code, may be used to lease land, equipment, or facilities used in public transportation from another governmental authority in the same geographic area: Provided, That the non-Federal share under section 5307 may include revenues from the sale of advertising and concessions: Provided further, That this provision shall remain in effect until September 30, 2004, or until the Federal interest in the land, equipment or facilities leased reaches 80 percent of its fair market value at disposition, whichever occurs first.

SEC. 173. Notwithstanding any other provision of law, funds designated to the Pennsylvania Cumberland/Dauphin County Corridor I project in committee reports accompanying this Act may be available to the recipient for any project activities authorized under sections 5307 and 5309 of title 49, United States Code.

SEC. 174. To the extent that funds provided by the Congress for the Memphis Medical Center light rail extension project through the Section 5309 "new fixed guideway systems" program remain available upon the closeout of the project, Federal Transit Administration is directed to permit the Memphis Area Transit Authority to use all of those funds for planning, engineering, design, construction or acquisition projects pertaining to the Memphis Regional Rail Plan. Such funds shall remain available until expended.

SEC. 175. Section 30303(d)(3) of the Transportation Equity Act for the 21st Century (Public Law 105–178) is amended by inserting at the end:

"(D) Memphis-Shelby International Airport intermodal facility.".

SEC. 176. For fiscal year 2004, Section 3027 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5307 note; 112

Stat. 366), as amended, is amended by adding at the end the following:

"(3) SERVICES FOR ELDERLY AND PERSONS WITH DISABILITIES.—In addition to assistance made available under paragraph (1), the Secretary may provide assistance under section 5307 of title 49, United States Code, to a transit provider that operates 25 or fewer vehicles in an urbanized area with a population of at least 200,000 to finance the operating costs of equipment and facilities used by the transit provider in providing mass transportation services to elderly and persons with disabilities, provided that such assistance to all entities shall not exceed $10,000,000 annually.".

SEC. 177. None of the funds in this Act shall be available to any Federal transit grantee after February 1, 2004, involved directly or indirectly, in any activity that promotes the legalization or medical use of any substance listed in schedule I of section 202 of the Controlled Substances Act (21 U.S.C. 812 et seq.).

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $14,400,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $98,700,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $106,997,000, of which $23,600,000 shall remain available until September 30, 2004, for salaries and benefits of employees of the United States Merchant Marine Academy; of which $13,500,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; of which $8,063,000 shall remain available until expended for the State Maritime Schools Schoolship Maintenance and Repair; of which $500,000 shall remain available until expended for the evaluation and provision of the fourteen commercially strategic ports;

and of which $1,000,000 shall remain available until September 30, 2005, for Maritime Security Professional Training in support of Section 109 of the Maritime Transportation Security Act of 2002.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $16,211,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For administrative expenses to carry out the guaranteed loan program, not to exceed $4,498,000, which shall be transferred to and merged with the appropriation for Operations and Training.

SHIP CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, $4,107,056 are rescinded.

GENERAL PROVISIONS—MARITIME ADMINISTRATION

SEC. 180. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 181. No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $46,441,000, of which $645,000 shall be derived from the Pipeline Safety Fund, and of which $2,510,000 shall remain available until September 30, 2006: Provided, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $66,305,000, of which $13,000,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2006; of which $53,305,000 shall be derived from the Pipeline Safety Fund, of which $21,828,000 shall remain available until September 30, 2006.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), $200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2006: Provided, That not more than $14,300,000 shall be made available for obligation in fiscal year 2004 from amounts made available by 49 U.S.C. 5116(i) and 5127(d): Provided further, That none of the funds made available by 49 U.S.C. 5116(i) and 5127(d) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $56,000,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3) to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: Provided further, That the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $19,521,000: Provided, That notwithstanding any other provision of law, not to exceed $1,050,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses

under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2004, to result in a final appropriation from the general fund estimated at no more than $18,471,000.

TITLE II—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $3,000,000, to remain available until September 30, 2005 for information technology modernization requirements; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate, $176,109,000: Provided, That the Office of Foreign Assets Control shall be funded at no less than $21,855,000 and 120 full time equivalent positions: Provided further, That of these amounts, $2,900,000 is available for grants to State and local law enforcement groups to help fight money laundering: Provided further, That of these amounts, $3,393,000, to remain available until September 30, 2005, shall be for the Treasury-wide Financial Statement Audit Program, of which such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: Provided further, That this transfer authority shall be in addition to any other provided in this Act.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $36,400,000, to remain available until September 30, 2006: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated shall be used to support or supplement the Internal Revenue Service appropriations for Information Systems or Business Systems Modernization.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $13,000,000, of which not to exceed $2,500 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $128,034,000.

AIR TRANSPORTATION STABILIZATION PROGRAM

For necessary expenses to administer the Air Transportation Stabilization Board established by section 102 of the Air Transportation Safety and System Stabilization Act (Public Law 107–42), $2,538,000, to remain available until expended.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, $25,000,000, to remain available until September 30, 2006, of which not less than $7,000,000 shall not be available for obligation until completion of the audit by the Treasury Inspector General or upon the advance approval of the House and Senate Committees on Appropriations.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $57,571,000, of which not to exceed $4,500,000 shall remain available until September 30, 2006; and of which $8,152,000 shall remain available until September 30, 2005: Provided, That funds appropriated in this account may be used to procure personal services contracts.

Financial Management Service

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $228,558,000, of which not to exceed $9,220,000 shall remain available until September 30, 2006, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

Alcohol and Tobacco Tax and Trade Bureau

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $80,000,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for Laboratory Services; and provision of laboratory assistance to State and local agencies with or without reimbursement.

United States Mint

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2004 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $40,652,000.

Bureau of the Public Debt

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $178,052,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until expended for systems modernization: Provided, That the sum appropriated herein from the General Fund for fiscal year 2004 shall be reduced by not more than $4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2004 appropriation from the general fund estimated at $173,652,000. In addition, $40,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service for prefiling taxpayer assistance and education, filing and account services, shared services support, general management and administration; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,033,000,000, of which up to $4,100,000 shall be for the Tax Counseling for the Elderly Program, of which $7,500,000 shall be available for low-income taxpayer clinic grants, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; conducting a document matching program; resolving taxpayer problems through prompt identification, referral and settlement; resolving essential earned income tax credit compliance and error problems; compiling statistics of income and conducting compliance research; purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,196,000,000, of which not to exceed $1,000,000 shall remain available until September 30, 2006, for research: Provided, That such sums may be transferred as necessary from this account to the IRS Processing, Assistance, and Management appropriation or the IRS Information Systems appropriation solely for the purposes of management of the Earned Income Tax Compliance program and to reimburse the Social Security Administration for the cost of implementing section 1090 of the Taxpayer Relief Act of 1997 (Public Law 105–33): Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

INFORMATION SYSTEMS

For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,590,962,000, of which $200,000,000 shall remain available until September 30, 2005.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service, $390,000,000, to remain available until September 30, 2006, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: Provided, That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on

Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11 part 3; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the General Accounting Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107–210), $35,000,000, to remain available until September 30, 2005.

GENERAL PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 201. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 202. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 203. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 204. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1–800 help line service.

SEC. 205. Within one hundred and eighty days of enactment, the Secretary of the Treasury shall present to the Congress a proposal for legislation which would provide transition relief for older and longer-service participants affected by conversions of their employers' traditional pension plans to cash balance pension plans: Provided, That none of the funds made available in this Act may be used by the Secretary of the Treasury, or his designee, to issue any rule or regulation which implements the proposed amendments to Internal Revenue Service regulations set forth in REG–209500–86 and REG–164464–02, or any amendments reaching results similar to such proposed amendments.

SEC. 206. STUDY ON EARNED INCOME TAX CREDIT CERTIFICATION PROGRAM. (A) STUDY.—The Internal Revenue Service shall conduct a study, as a part of any program that requires certification (including pre-certification) in order to claim the earned income tax credit under section 32 of the Internal Revenue Code of 1986, on the following matters:

(1) The costs (in time and money) incurred by the participants in the program.

(2) The administrative costs incurred by the Internal Revenue Service in operating the program.

(3) The percentage of individuals included in the program who were not certified for the credit, including the percentage of individuals who were not certified due to—

(A) ineligibility for the credit; and

(B) failure to complete the requirements for certification.

(4) The percentage of individuals to whom paragraph (3)(B) applies who were—

(A) otherwise eligible for the credit; and

(B) otherwise ineligible for the credit.

(5) The percentage of individuals to whom paragraph (3)(B) applies who—

(A) did not respond to the request for certification; and

(B) responded to such request but otherwise failed to complete the requirements for certification.

(6) The reasons—

(A) for which individuals described in paragraph (5)(A) did not respond to requests for certification; and

(B) for which individuals described in paragraph (5)(B) had difficulty in completing the requirements for certification.

(7) The characteristics of those individuals who were denied the credit due to—

(A) failure to complete the requirements for certification; and

(B) ineligibility for the credit.

(8) The impact of the program on non-English speaking participants.

(9) The impact of the program on homeless and other highly transient individuals.

(b) REPORT.—

(1) PRELIMINARY REPORT.—Not later than July 30, 2004, the Commissioner of the Internal Revenue Service shall submit to Congress a preliminary report on the study conducted under subsection (a).

(2) FINAL REPORT.—Not later than June 30, 2005, the Commissioner of the Internal Revenue Service shall submit to Congress a final report detailing the findings of the study conducted under subsection (a).

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 210. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 211. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crime Enforcement Network, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 212. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 213. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: Provided, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 214. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 215. The Secretary of the Treasury may transfer funds from "Salaries and Expenses", Financial Management Service, to the Debt Services Account as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such Salaries and Expenses account from debt collections received in the Debt Services Account.

SEC. 216. Section 122(g)(1) of Public Law 105–119 (5 U.S.C. 3104 note), is further amended by striking "5 years" and inserting "6 years".

SEC. 217. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 218. For fiscal year 2004 and each fiscal year thereafter, there are appropriated to the Secretary of the Treasury such sums as may be necessary to reimburse financial institutions in their capacity as depositaries and financial agents of the United States for all services required or directed by the Secretary of the Treasury, or the Secretary's designee, to be performed by such financial institutions on behalf of the Department of the Treasury or other Federal agencies, including services rendered prior to fiscal year 2004.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any

unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code.

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, $69,168,000: Provided, That $8,650,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency: Provided further, That $7,231,000 of the funds appropriated under this heading shall be available for the Homeland Security Council.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $12,501,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall charge interest and assess penalties

and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $4,225,000, to remain available until expended, for required maintenance, safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisors in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $4,502,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $4,109,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $10,551,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and

hire of passenger motor vehicles, $82,826,000, of which $20,578,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United States Code, $67,159,000, of which not to exceed $3,000 shall be available for official representation expenses: Provided, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: Provided further, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or the Committees on Veterans' Affairs or their subcommittees: Provided further, That the preceding shall not apply to printed hearings released by the Committees on Appropriations or the Committees on Veterans' Affairs: Provided further, That none of the funds appropriated in this Act may be available to pay the salary or expenses of any employee of the Office of Management and Budget who calculates, prepares, or approves any tabular or other material that proposes the sub-allocation of budget authority or outlays by the Committees on Appropriations among their subcommittees.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $27,996,500; of which $1,350,000 shall remain available until expended for policy research and evaluation; and $1,500,000 for the National Alliance for Model State Drug Laws: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $42,000,000, which shall remain available until expended, consisting of $18,000,000 for counternarcotics research and development projects, and $24,000,000 for the continued operation of the technology transfer program: Provided, That the $18,000,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $226,350,000, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of the enactment of this Act: Provided, That up to 49 percent, to remain available until September 30, 2005, may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which not less than $2,100,000 shall be used for auditing services and associated activities, and at least $500,000 of the $2,100,000 shall be used to develop and implement a data collection system to measure the performance of the High Intensity Drug Trafficking Areas Program: Provided further, That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2003, shall be funded at no less than the fiscal year 2003 initial allocation levels unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance measures of effectiveness: Provided further, That a request shall be submitted to the Committees on Appropriations for approval prior to the obligation of funds of an amount in excess of the fiscal year 2004 budget request: Provided further, That such request shall be made in compliance with the reprogramming guidelines.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $229,000,000, to remain available until expended, of which the following amounts are available as follows: $145,000,000 to support a national media campaign, as authorized by the Drug-Free

Media Campaign Act of 1998; $70,000,000 to continue a program of matching grants to drug-free communities, of which $1,000,000 shall be a directed grant to the Community Anti-Drug Coalitions of America for the National Community Anti-Drug Coalition Institute, as authorized in chapter 2 of the National Narcotics Leadership Act of 1988, as amended; $3,000,000 for the Counterdrug Intelligence Executive Secretariat; $2,000,000 for evaluations and research related to National Drug Control Program performance measures; $1,000,000 for the National Drug Court Institute; $7,200,000 for the United States Anti-Doping Agency for anti-doping activities; and $800,000 for the United States membership dues to the World Anti-Doping Agency: Provided, That such funds may be transferred to other Federal departments and agencies to carry out such activities: Provided further, That of the amounts appropriated for a national media campaign, no less than 78 percent shall be used for the purchase of advertising time and space for the national media compaign.

UNANTICIPATED NEEDS

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

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,461,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $331,000: Provided, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

GENERAL PROVISION—EXECUTIVE OFFICE OF THE PRESIDENT

SEC. 301. Section 102 of title 3, United States Code, is amended by striking ", for which expense allowance" and all that follows through the first period and inserting ". Any unused amount of such expense allowance shall revert to the Treasury pursuant to section 1552 of title 31, United States Code. No amount of such expense allowance shall be included in the gross income of the President.".

TITLE IV—INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended $5,401,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $73,499,000, of which not to exceed $2,000 may be used for official reception and representation expenses.

EMERGENCY FUND

For necessary expenses of the National Transportation Safety Board for accident investigations, $600,000, to remain available until expended: Provided, That these funds shall be available only to the extent necessary to restore the balance of the emergency fund to $2,000,000 (29 U.S.C. 1118 (b)).

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $4,725,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $51,240,000, of which no less than $6,389,900 shall be available for internal automated data processing systems, of which not to exceed $5,000 shall be available for reception and representation expenses, and of which $800,000 shall be available for necessary expenses to carry out the functions of the Office of Election Administration: Provided, That upon the transfer of functions of the Office of Election Administration to the Election Assistance Commission under the provisions of title VIII of the Help America Vote Act of 2002, any portion of such funds remaining available as of the date of the transfer shall be transferred to the Election Assistance Commission for purposes of carrying out such functions.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the Help America Vote Act of 2002, $1,200,000.

ELECTION REFORM PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out a program of requirements payments to States as authorized by Section 257 of the Help America Vote Act of 2002, $500,000,000: Provided, That no more that 1/10 of 1 percent of funds available for requirements payments under Section 257 of the Help America Vote Act of 2002 shall be allocated to any territory: Provided further, That of the funds made available for providing grants to assist State and local efforts to improve election technology and the administration of Federal elections, as authorized by such Act, not to exceed $100,000 shall be transferred to the General Services Administration for necessary administrative expenses to carry out programs of payments to States as authorized by section 257 of such Act.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $29,611,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $18,471,000: Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount to be deposited in, and to be used for the purposes of, the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592), $446,000,000. The revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $6,758,208,000, of which: (1) $708,268,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:

New Construction:

Alabama:

Anniston, United States Courthouse, $4,400,000

Tuscaloosa, Federal Building, $7,500,000

California:

Los Angeles, United States Courthouse, $50,000,000

San Diego, Border Station, $34,211,000

Colorado:

Denver Federal Center, site remediation, $6,000,000

District of Columbia:

Department of Transportation Headquarters, $42,000,000

Florida:

Orlando, United States Courthouse, $7,200,000

Georgia:

Atlanta, Tuttle Building Annex, $10,600,000

Maine:

Jackman, Border Station, $7,712,000

Maryland:

Montgomery County, Food and Drug Administration Consolidation, $42,000,000

Suitland, United States Census Bureau, $146,451,000

Michigan:

Detroit, Ambassador Bridge Border Station, $25,387,000

New York:

Champlain, Border Station, $31,031,000

North Carolina:

Charlotte, United States Courthouse, $8,500,000

Ohio:

Toledo, United States Courthouse, $6,500,000

Pennsylvania:

Harrisburg, United States Courthouse, $26,000,000

South Carolina:

Greenville, United States Courthouse, $11,000,000

Texas:

Del Rio, Border Station, $23,966,000

Eagle Pass, Border Station, $31,980,000

Houston, Federal Bureau of Investigation, $58,080,000

McAllen, Border Station, $17,938,000

San Antonio, United States Courthouse, $8,000,000

Virginia:

Richmond, United States Courthouse, $83,000,000

Washington:

Blaine, Border Station, $9,812,000

Nonprospectus Construction, $9,000,000:

Provided, That each of the foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That all funds for direct construction projects shall expire on September 30, 2005, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) $991,300,000 shall remain available until expended for repairs and alterations, which includes associated design and construction services:

Repairs and Alterations:

Colorado:

Denver, Byron G. Rogers Federal Building—Courthouse, $39,436,000

District of Columbia:

320 First Street, $7,485,000

Eisenhower Executive Office Building, $65,757,000

Federal Office Building 8, $134,872,000

Main Interior Building, $15,603,000

Fire & Life Safety, $68,188,000

Georgia:

Atlanta, Richard B. Russell Federal Building, $32,173,000

Illinois:

Chicago, Dirksen Courthouse & Kluczynski Federal Building, $24,056,000

Springfield, Paul H. Findley Federal Building—Courthouse, $6,183,000

Indiana:

Terre Haute Federal Building—Post Office, $4,600,000

Massachusetts:

Boston, John W. McCormack Post Office and Courthouse, $73,037,000

New York:

Brooklyn, Emanuel Celler Courthouse, $65,511,000

North Dakota:

Fargo, Federal Building—Post Office, $5,801,000

Ohio:

Columbus, John W. Bricker Federal Building, $10,707,000

Washington:

Auburn, Building 7, Auburn Federal Building, $18,315,000

Bellingham, Federal Building, $2,610,000

Seattle, Henry M. Jackson Federal Building, $6,868,000

Special Emphasis Programs:

Chlorofluorocarbons Program, $5,000,000

Energy Program, $5,000,000

Glass Fragmentation Program, $20,000,000

Design Program, $41,462,000:

Provided further, That funds made available in any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: Provided further, That the amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: Provided further, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: Provided further, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2005 and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That the

amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects: Provided further, That the funds available herein for repairs to the Bellingham, Washington, Federal Building, shall be available for transfer to the city of Bellingham, Washington, subject to disposal of the building to the city; (3) $169,745,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $3,280,187,000 for rental of space which shall remain available until expended; and (5) $1,608,708,000 for building operations which shall remain available until expended: Provided further, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: Provided further, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592(b)(2)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2004, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 592(b)(2)) in excess of $6,717,208,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109, $56,383,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; telecommunications, information technology management, and related technology activities; providing Internet access to Federal information and services; agency-wide policy direction and management, and

Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses, $88,110,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $39,169,000: Provided, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: Provided further, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT (E-GOV) FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, $3,000,000, to remain available until expended: Provided, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $3,393,000: Provided, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

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

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 2004 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 404. No funds made available by this Act shall be used to transmit a fiscal year 2005 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: Provided, That the fiscal year 2005 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 406. Funds provided to other Government agencies by the Information Technology Fund, General Services Administration, under section 110 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757) and sections 5124(b) and 5128 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1424(b) and 1428), for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 407. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 408. (a) Notwithstanding any other provision of law, the Administrator of General Services is authorized to acquire, under such terms and conditions as he deems to be in the interests of the United States, approximately 27 acres of land, identified as Site 7 and located at 234 Corporate Drive, Pease International Tradeport, Portsmouth, NH 03801, as a site for the public building needs of the Federal Government, and to design and construct upon the site a new Federal Office Building of approximately 98,000 gross square feet: Provided, That the Administrator shall not acquire any property under this subsection until the Administrator determines that the property is in compliance with applicable environmental laws, and that the property is suitable and available for use as a site to house the Federal agencies presently located in the Thomas J. McIntyre Federal Building.

(b) For the site acquisition, design, construction, and relocation, $11,149,000 shall be available from funds previously provided under the heading "General Services Administration, Real Property Activities, Federal Buildings Fund" in Public Law 108–7 for repairs and alterations to the Thomas J. McIntyre Federal Building in Portsmouth, New Hampshire, which was included in the plan for

expenditure of repairs and alterations funds as required by accompanying House Report 108–10.

(c) For any additional costs of construction, management and inspection of the new facility to house the Federal agencies relocated from the McIntyre Federal Office Building, and for the costs of relocating the Federal agencies occupying the McIntyre Federal Office Building, $13,669,000 shall be deposited into the Federal Buildings Fund (40 U.S.C. 592) from the General Fund; which amount, together with the amount set forth in subsection (b) of this section shall remain available until expended and shall be subject to such escalation and reprogramming authorities available to the Administrator for any other new construction projects under the heading "Federal Building Fund Limitations on Availability of Revenue".

(d) The Administrator is authorized and directed to convey, without consideration, the Thomas J. McIntyre Federal Office Building to the City of Portsmouth, New Hampshire for economic development purposes subject to the following conditions: (i) that all Federal agencies currently occupying the McIntyre Building except the United States Postal Service are completely relocated to the new Federal Building for so long as those agencies have continuing mission needs for that new location, (ii) that the requirements of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411 et seq.) shall not apply to this conveyance; and (iii) that the Administrator may include in the conveyance documents such terms and conditions as the Administrator determines in the best interest of the United States.

SEC. 409. (a) The Administrator of General Services shall carry out the authority of the Election Assistance Commission to make election assistance payments under subtitle D of title II of the Help America Vote Act of 2002, including the authority under such subtitle to receive statements and applications from entities seeking such payments and reports from entities receiving such payments.

(b) The authority of the Administrator of General Services under subsection (a) shall apply with respect to amounts appropriated for fiscal year 2004 and amounts appropriated for fiscal year 2003 which remain unobligated and unexpended at the end of fiscal year 2003, except that this authority shall expire upon the earlier of—

(1) the expiration of the 3-month period which begins on the date on which all members of the Election Assistance Commission are appointed; or

(2) June 30, 2004.

(c) Upon the appointment of all members of the Election Assistance Commission, the Administrator of General Services shall transmit to the Commission all statements, applications, and reports received by the Administrator in carrying out this section.

SEC. 410. None of the funds made available in this Act may be used by the General Services Administration to establish a quick response team processing center on East Brainerd Road in Chattanooga, Tennessee.

SEC. 411. COMPLETION OF LAND CONVEYANCE, SAN JOAQUIN COUNTY, CALIFORNIA. Section 140 of division C of Public Law 105–277 (112 Stat. 2681–599), as amended by section 3034 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat. 104), is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking "Attorney General" and inserting "Administrator of General Services, on behalf of the Attorney General,";

(B) in the second sentence, by striking "Attorney General" and inserting "Administrator"; and

(C) in the second sentence, by striking "not later than August 21, 1999" and inserting "as soon as practicable";

(2) in subsection (b), by striking "Attorney General" and inserting "Administrator";

(3) in subsection (c)(1)—

(A) in the first sentence, by striking "as the location" and all that follows through "other educational purposes" and inserting "for educational or recreational purposes"; and

(B) by striking the second sentence;

(4) in subsection (c)(2), by striking "Attorney General" and inserting "Administrator";

(5) in subsection (d), by striking paragraph (2) and inserting the following new paragraph:

"(2) The use of the real property conveyed under subsection (a) for recreational purposes, as provided in subsection (c), shall be subject to the approval of the Secretary of the Interior.";

(6) in subsection (e)—

(A) in paragraph (1), by striking "If the Secretary" and all that follows through "not being used" and inserting "If a portion of the real property conveyed under subsection (a) is used for educational purposes, as provided in subsection (c), and the Secretary of Education determines that such portion is no longer being used"; and

(B) in paragraph (2), by striking "as a public park or for other recreational purposes" and inserting "for recreational purposes"; and

(7) in subsection (f), by striking "Attorney General" and inserting "Administrator".

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $32,877,000 together with not to exceed $2,626,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

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

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), $1,996,000, to remain available until expended of which up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289) notwithstanding sections 8 and 9 of Public Law 102–259: Provided, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $1,309,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $256,700,000: Provided, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings: Provided further, That, of the funds provided in this paragraph, $600,000 shall be for the preservation of the records of the Freedmen's Bureau.

ELECTRONIC RECORDS ARCHIVE

For necessary expenses in connection with the development of an electronic records archive, to include all direct project costs associated with research, analysis, design, development, and program management, $35,914,000, of which $22,000,000 shall remain available until September 30, 2006.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $13,708,000, to remain available until expended, of which $500,000 is for the Military Personnel Records Center requirements study, of which $2,250,000 is for land acquisition for a site in Anchorage, Alaska to construct a new regional archives and records facility and of

which $5,000,000 is for the repair and restoration of the plaza that surrounds the Lyndon Baines Johnson Presidential Library and that is under the joint control and custody of the University of Texas: Provided, That such funds may be transferred directly to the University and used, together with University funds, for repair and restoration of the plaza and remain available until expended for this purpose: Provided further, That the same transfer authority shall extend to funds previously appropriated in Public Law 108–7 for this purpose.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, $10,000,000, to remain available until expended.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $10,738,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $119,498,000, of which $2,000,000 shall remain available until expended for the cost of the enterprise human resources integration project, and $2,500,000 shall remain available until expended for the cost of leading the government-wide initiative to modernize the Federal payroll systems and service delivery and $2,500,000 shall remain available through September 30, 2005 to coordinate and conduct program evaluation and performance measurement; and in addition $135,914,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of

Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $36,700,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: Provided, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8909(g), and 9004(f)(1)(A) and (2)(A) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2004, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $1,498,000, and in addition, not to exceed $14,427,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

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

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such

sums as may be necessary: Provided, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

HUMAN CAPITAL PERFORMANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For a human capital performance fund, $1,000,000: Provided, That such amount shall not be available for obligation or transfer until enactment of legislation that establishes a human capital performance fund within the Office of Personnel Management: Provided further, That such amounts as determined by the Director of the Office of Personnel Management may be transferred to Federal agencies to carry out the purposes of this fund as authorized: Provided further, That no funds shall be available for obligation or transfer to any Federal agency until the Director has notified the relevant subcommittees of jurisdiction of the Committees on Appropriations of the approval of a performance pay plan for that agency, and the prior approval of such subcommittees has been attained.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), as amended, the Whistleblower Protection Act of 1989 (Public Law 101–12), as amended, Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $13,504,000.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $65,521,000, of which $36,521,000 shall not be available for obligation until October 1, 2004: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2004.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $40,187,000: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

For necessary expenses of the White House Commission on the National Moment of Remembrance, $250,000.

TITLE V—GENERAL PROVISIONS

THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

SEC. 501. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 502. Such sums as may be necessary for fiscal year 2004 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 503. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 504. None of the funds in this Act shall be available for salaries and expenses of more than 106 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 505. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 506. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 507. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 508. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 509. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 510. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Transit Planning and Research" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 511. Notwithstanding any other provision of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 512. None of the funds in title I of this Act may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: Provided, That no notification shall involve funds that are not available for obligation.

SEC. 513. For the purpose of any applicable law, for fiscal year 2004, the city of Norman, Oklahoma, shall be considered to be part of the Oklahoma City Transportation Management Area.

SEC. 514. None of the funds in title I of this Act may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 515. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 516. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of

building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 517. Funds provided in this Act for the Working Capital Fund shall be reduced by $17,816,000, which limits fiscal year 2004 Working Capital Fund obligational authority for elements of the Department of Transportation funded in this Act to no more than $98,899,000: Provided, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the Working Capital Fund.

SEC. 518. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: Provided, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: Provided further, That for purposes of this section, the term "improper payments", has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 519. The Secretary of Transportation is authorized to transfer the unexpended balances available for the bonding assistance program from "Office of the Secretary, Salaries and expenses" to "Minority Business Outreach".

SEC. 520. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 521. (a) IN GENERAL.—The Secretary of Transportation—

(1) shall, without regard to any fiscal year limitation, maintain in full force and effect the restrictions imposed under Federal Aviation Administration Notices to Airmen FDC 3/2122, FDC 3/2123, and FDC 2/0199; and

(2) may not grant any waivers or exemptions from such restrictions, except—

(A) as authorized by air traffic control for operational or safety purposes;

(B) with respect to an event, stadium, or other venue—

(i) for operational purposes;

(ii) for the transport of team members, officials of the governing body, and immediate family members and guests of such team members and officials to and from such event, stadium, or venue;

(iii) in the case of a sporting event, for the transport of equipment or parts to and from such sporting event;

(iv) to permit a broadcast rights holder to provide broadcast coverage of such event, stadium, or venue; and

(v) for safety and security purposes related to such event, stadium, or venue; and

(C) to allow the operation of an aircraft in restricted airspace to the extent necessary to arrive at or depart from an airport using standard air traffic control procedures.

(b) LIMITATIONS ON USE OF FUNDS.—None of the funds appropriated or otherwise made available by title I of this Act may be obligated or expended to terminate or limit the restrictions imposed under the Federal Aviation Administration Notices to Airmen referred to in subsection (a), or to grant waivers of, or exemptions from, such restrictions except as provided under subsection (a)(2).

(c) BROADCAST CONTRACTS NOT AFFECTED.—Nothing in this section shall be construed to affect contractual rights pertaining to any broadcasting agreement.

SEC. 522. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 523. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy America Act").

SEC. 524. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—Hereafter, in the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 525. Hereafter, if it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United

States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 526. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2004 from appropriations made available for salaries and expenses for fiscal year 2004 in this Act, shall remain available through September 30, 2005, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 527. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

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

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 528. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 529. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 530. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 531. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 532. The provision of section 531 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 533. None of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2004, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is greater; or

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is greater,

unless prior approval is received from the House and Senate Committees on Appropriations.

SEC. 534. None of the funds made available in this Act may be used to require a State or local government to post a traffic control device or variable message sign, or any other type of traffic warning sign, in a language other than English, except with respect to the names of cities, streets, places, events, or signs related to an international border.

SEC. 535. EXEMPTION FROM LIMITATIONS ON PROCUREMENT OF FOREIGN INFORMATION TECHNOLOGY THAT IS A COMMERCIAL ITEM.—(a) EXEMPTION.—In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in the Buy American Act (41 U.S.C. 10a et seq.), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code, that is a commercial item (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

(b) DEFINITION.—Section 11101(6) of title 40, United States Code, is amended—

(1) in subparagraph (A), by inserting after "storage," the following: "analysis, evaluation,"; and

(2) in subparagraph (B), by striking "ancillary equipment," and inserting "ancillary equipment (including imaging peripherals, input, output, and storage devices necessary for security and surveillance), peripheral equipment designed to be controlled by the central processing unit of a computer,".

SEC. 536. It is the sense of the House of Representatives that empowerment zones within cities should have the necessary flexibility to expand to include relevant communities so that empowerment zone benefits are equitably distributed.

SEC. 537. It is the sense of the House of Representatives that all census tracts contained in an empowerment zone, either fully or partially, should be equitably accorded the same benefits.

SEC. 538. None of the funds made available in this Act may be used to finalize, implement, administer, or enforce—

(1) the proposed rule relating to the determination that real estate brokerage is an activity that is financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 307 et seq.); or

(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

SEC. 539. It is the sense of Congress that, after proper documentation, justification, and review, the Department of Transportation should consider programs to reimburse general aviation ground support services at Ronald Reagan Washington National

Airport, and airports located within fifteen miles of Ronald Reagan Washington National Airport, for their financial losses due to Government actions after the terrorist attacks of September 11, 2001.

SEC. 540. It is the sense of the House of Representatives that public private partnerships (PPPs) could help eliminate some of the cost drivers behind complex, capital-intensive highway and transit projects. The House of Representatives encourages the Secretary of Transportation to apply available funds to select projects that are in the development phase, eligible under title 23 and title 49, United States Code, except 23 U.S.C. 133(b)(8), and that employ a PPP strategy.

SEC. 541. Section 414(h) of title 39, United States Code, is amended by striking "2003" and inserting "2005".

SEC. 542. None of the funds in title I of this Act may be used to adopt rules or regulations concerning travel agent service fees unless the Department of Transportation publishes in the Federal Register revisions to the proposed rule and provides a period for additional public comment on such proposed rule for a period not less than 60 days.

SEC. 543. (a) Section 103 of the Presidential Recordings and Materials Preservation Act (Public Law 93–526; 44 U.S.C. 2111 note) is amended by striking the second sentence and inserting the following: "The Archivist may transfer such recordings and materials to a Presidential archival depository in accordance with section 2112 of title 44, United States Code.".

(b) Nothing in section 103 of the Presidential Recordings and Materials Preservation Act (Public Law 93–526; 44 U.S.C. 2111 note), as amended by subsection (a), may be construed as affecting public access to the recordings and materials referred to in that section as provided in regulations promulgated pursuant to section 104 of such Act.

SEC. 544. AMENDMENTS TO OKLAHOMA CITY NATIONAL MEMORIAL ACT OF 1997. (a) SHORT TITLE.—This section may be cited as the "Oklahoma City National Memorial Act Amendments of 2003".

(b) FOUNDATION DEFINED; CONFORMING AMENDMENT.—Section 3 of the Oklahoma City National Memorial Act of 1997 (16 U.S.C. 450ss–1) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(2) by inserting immediately preceding paragraph (2) (as so redesignated by paragraph (1) of this subsection) the following new paragraph:

"(1) FOUNDATION.—The term 'Foundation' means the Oklahoma City National Memorial Foundation, a not-for-profit corporation that is—

"(A) described in section 501(c)(3) of the Internal Revenue Code of 1986;

"(B) exempt from taxation under section 501(a) of such Code; and

"(C) dedicated to the support of the Memorial."; and

(3) in paragraph (3), by striking "designated under section 5(a)".

(c) ADMINISTRATION OF MEMORIAL BY FOUNDATION.—Section 4 of the Oklahoma City National Memorial Act of 1997 (16 U.S.C. 450ss–2) is amended—

(1) in subsection (a)—

(A) by striking "a unit" and inserting "an affiliate"; and

(B) by striking the second sentence;

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following new subsection:

"(b) ADMINISTRATION OF MEMORIAL.—The Foundation shall administer the Memorial in accordance with this Act and the general objectives of the 'Memorial Mission Statement', adopted March 26, 1996, by the Foundation."; and

(4) in subsection (c) (as so redesignated by paragraph (2) of this subsection) by striking "1997 (hereafter" and all that follows through the final period and inserting "1997. The map shall be on file and available for public inspection in the appropriate office of the Foundation.".

(d) TRANSFER OF MEMORIAL PROPERTY, RIGHTS, AUTHORITIES, AND DUTIES.—Section 5 of the Oklahoma City National Memorial Act of 1997 (16 U.S.C. 450ss–3) is amended to read as follows:

"SEC. 5. TRANSFER OF MEMORIAL PROPERTY, RIGHTS, AUTHORITIES, AND DUTIES.

"(a) TRANSFER OF MEMORIAL PROPERTY.—

"(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Oklahoma City National Memorial Act Amendments of 2003, the Trust shall transfer to the Foundation—

"(A) all assets of the Trust, including all real and personal property of the Memorial, any appurtenances, buildings, facilities, monuments, contents, artifacts, contracts and contract rights, accounts, deposits, intangibles, trademarks, trade names, copyrights, all other intellectual property, all other real and personal property of every kind and character comprising the Memorial, and any amounts appropriated for the Trust;

"(B) any property owned by the Trust that is adjacent or related to the Memorial; and

"(C) all property maintained for the Memorial, together with all rights, authorities, and duties relating to the ownership, administration, operation, and management of the Memorial.

"(2) SUBSEQUENT GIFTS.—Any artifact, memorial, or other personal property that is received by, or is intended by any person to be given to, the Trust after the date of transfer of property under paragraph (1) shall be the property of the Foundation.

"(b) ASSUMPTION OF TRUST OBLIGATIONS.—Any obligations of the Trust relating to the Memorial that have been approved by the Trust before the date on which the property is transferred under subsection (a) shall become the responsibility of the Foundation on the date of the transfer.

"(c) DISSOLUTION OF TRUST.—Not later than 30 days after the transfer under subsection (a) is completed—

"(1) the Trust shall be dissolved; and

"(2) the Trust shall notify the Secretary of the date of dissolution.

"(d) AUTHORITY TO ENTER INTO AGREEMENTS.—The Secretary, acting through the National Park Service, is authorized to enter into 1 or more cooperative agreements with the Foundation for the National Park Service to provide interpretive services related to the Memorial and such other assistance as may be agreed upon between the Secretary and the Foundation. The costs of the services and other agreed assistance shall be paid by the Secretary.

"(e) GENERAL SERVICES ADMINISTRATION AUTHORITY.—The Administrator of General Services shall provide, on a non-reimbursable basis, services necessary for the facilitation of the transfer of the Memorial to the Foundation.

"(f) LIMITATION.—Nothing in this Act shall prohibit the use of State and local law enforcement for the purposes of security related to the Memorial.".

(e) REPEAL OF DUTIES AND AUTHORITIES OF TRUST.—

(1) IN GENERAL.—Section 6 of the Oklahoma City National Memorial Act of 1997 (16 U.S.C. 450ss–4) is repealed.

(2) EFFECTIVE DATE.—The repeal under this subsection shall take effect upon the transfer of the Memorial property, rights, authorities, and duties pursuant to the amendments made by subsection (d).

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 7 of the Oklahoma City National Memorial Act of 1997 (16 U.S.C. 450ss–5) is amended—

(1) in paragraph (1), by inserting "for an endowment fund subject to paragraph (2)" after "the sum of $5,000,000"; and

(2) in paragraph (2)—

(A) by striking "Trust or to the Oklahoma City Memorial"; and

(B) by striking "or operation" and inserting "operation, or endowment".

(g) AUTHORIZATION OF SECRETARY TO REIMBURSE PREVIOUS COSTS PAID BY FOUNDATION OR TRUST.—To the extent that funds are made available for the Trust, the Secretary of the Interior shall reimburse the Oklahoma City National Memorial Foundation for funds obligated or expended by the Oklahoma City National Memorial Foundation or the Oklahoma City National Memorial Trust to the Secretary of the Interior for interpretive services, security, and other costs and services related to the Oklahoma City National Memorial before the date of the enactment of this Act. The Oklahoma City National Memorial Foundation may use such reimbursed funds for the operation, maintenance, and permanent endowment of the Oklahoma City National Memorial.

(h) REPEAL OF DISPOSITION OF SITE OF ALFRED P. MURRAH FEDERAL BUILDING.—Section 8 of the Oklahoma City National Memorial Act of 1997 (16 U.S.C. 450ss–6) is repealed.

(i) REPEAL OF STUDY REQUIREMENT.—Section 9 of the Oklahoma City National Memorial Act of 1997 (16 U.S.C. 450ssa–7) is repealed.

SEC. 545. Notwithstanding any other provision of law, the unobligated balance of funds made available to the District of Columbia under item 70 in the table contained in section 1106(b)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2047) and the unobligated balance of funds made available to the District of Columbia under item 554 of the

table contained in section 1602 of the Transportation Equity Act for the 21st Century (Public Law 105–178, as amended; 112 Stat. 277) shall be made available to carry out a project for the replacement of the existing bridge on Kenilworth Avenue over Nannie Helen Burroughs Avenue and for a ferry and ferry facility project on the Anacostia River.

SEC. 546. Section 345(6), Division I, of Public Law 108–7 is amended by adding at the end of the section the following "In implementing section 345(6) the Secretary may also modify the permitted uses of draws on the lines of credit to include any repair and replacement costs.".

SEC. 547. Notwithstanding any other provision of law, projects and activities described in the statement of managers accompanying this Act under the headings "Federal-Aid Highways" and "Federal Transit Administration" shall be eligible for fiscal year 2004 funds made available for the program for which each project or activity is so designated and projects and activities under the heading "Job Access and Reverse Commute Grants" shall be awarded those grants upon receipt of an application.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2004 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: Provided, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 604. Appropriations of the executive departments and independent establishments for the current fiscal year available for

expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 605. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 607. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

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

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

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

SEC. 608. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

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

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

SEC. 611. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a and 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 612. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 613. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2004, by this or any other Act,

may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2004, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2004, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2004 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2004 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

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

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2003, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2003, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2003.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office deter-

mines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 614. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 615. Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 616. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

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

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 617. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for the current fiscal year shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not

in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 618. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 619. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

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

SEC. 620. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclo-

sures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.": Provided, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 621. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 622. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 623. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 624. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 625. (a) In this section the term "agency"—

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

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

(3) shall not include the General Accounting Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 626. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a total of $800,000 including the salary of the Executive Director and staff support.

SEC. 627. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse the "Policy and Citizen Services" account, General Services Administration, with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts. These funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives, the Chief Information Officers Council for information technology initiatives, and the Procurement Executives Council for procurement initiatives). The total funds transferred or reimbursed shall not exceed $17,000,000. Such transfers or reimbursements may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 628. None of the funds made available in this or any other Act may be used by the Office of Personnel Management or any other department or agency of the Federal Government to prohibit any agency from using appropriated funds as they see fit to independently contract with private companies to provide online employment applications and processing services.

SEC. 629. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 630. Nothwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: Provided, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the

National Science and Technology Council to the Committees on Appropriations, the House Committee on Science; and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 631. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided. This provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 632. Subsection (f) of section 403 of Public Law 103–356 (31 U.S.C. 501 note) is amended by striking "October 1, 2003" and inserting "October 1, 2004".

SEC. 633. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF PERSONAL INFORMATION ON USE OF INTERNET.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

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

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

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

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

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

(1) The term "regulatory" means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term "supervisory" means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 634. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

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

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF Health Plans, Inc.; and

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

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

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 635. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 636. Not later than 6 months after the date of enactment of this Act, the Inspector General of each applicable department or agency shall submit to the Committee on Appropriations a report detailing what policies and procedures are in place for each department or agency to give first priority to the location of new offices and other facilities in rural areas, as directed by the Rural Development Act of 1972.

SEC. 637. None of the funds made available under this or any other Act for fiscal year 2004 shall be expended for the purchase of a product or service offered by Federal Prison Industries, Inc. unless the agency making such purchase determines that such offered product or service provides the best value to the buying agency pursuant to governmentwide procurement regulations, issued pursuant to section 25(c)(1) of the Office of Federal Procurement Act (41 U.S.C. 421(c)(1)) that impose procedures, standards, and limitations of section 2410n of title 10, United States Code.

SEC. 638. Each Executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government purchase charge card or government travel charge card. The department or agency may not issue a government purchase charge card or government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: Provided, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to (a) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card, or (b) an individual who lacks a credit history. Each Executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

SEC. 639. Section 640(c) of the Treasury and General Government Appropriations Act, 2000 (Public Law 106–58; 2 U.S.C. 437g note 1), as amended by section 642 of the Treasury and General Government Appropriations Act, 2002 (Public Law 107–67), is

amended by striking "December 31, 2003" and inserting "December 31, 2005".

SEC. 640. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2004 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 4.1 percent, and this adjustment shall apply to civilian employees in the Department of Defense and the Department of Homeland Security and such adjustments shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2004.

(b) Notwithstanding section 613 of this Act, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2004 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentage in paragraph (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303 and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5 and prevailing rate employees described in section 5343(a)(5) of title 5 shall be considered to be located in the pay locality designated as "Rest of US" pursuant to section 5304 of title 5 for purposes of this paragraph.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2004.

SEC. 641. Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended as follows:

(1) in clauses (a)(2)(A)(i) and (a)(4)(A)(ii) by striking the parenthetical "(or posted by registered or certified mail no later than the 15th day before)" and inserting in its place, "(or posted by any of the following: registered mail, certified mail, priority mail having a delivery confirmation, or express mail having a delivery confirmation, or delivered to an overnight delivery service with an on-line tracking system, if posted or delivered no later than the 15th day before)"; and

(2) by striking paragraph (a)(5) and inserting the following:

"(5) If a designation, report, or statement filed pursuant to this Act (other than under paragraph (2)(A)(i) or (4)(A)(ii) or subsection (g)(1)) is sent by registered mail, certified mail, priority mail having a delivery confirmation, or express mail having a delivery confirmation, the United States postmark shall be considered the date of filing the designation, report or statement. If a designation, report or statement filed pursuant to this Act (other than under paragraph (2)(A)(i) or (4)(A)(ii), or subsection (g)(1)) is sent by an overnight delivery service with an on-line tracking system, the date on the proof of delivery to the delivery service shall be considered the date of filing of the designation, report, or statement.".

SEC. 642. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 643. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 644. None of the funds provided in this Act shall be used to implement or enforce regulations for locality pay areas in fiscal year 2004 that are inconsistent with the recommendations of the Federal Salary Council adopted on October 7, 2003.

SEC. 645. (a) Not later than 180 days after the enactment of this Act, the head of each Federal agency shall submit a report to Congress on the amount of the acquisitions made by the agency from entities that manufacture the articles, materials, or supplies outside of the United States in that fiscal year.

(b) The report required by subsection (a) shall separately indicate—

(1) the dollar value of any articles, materials, or supplies purchased that were manufactured outside of the United States;

(2) an itemized list of all waivers granted with respect to such articles, materials, or supplies under the Buy American Act (41 U.S.C. 10a et seq.); and

(3) a summary of the total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States.

(c) The head of each Federal agency submitting a report under subsection (a) shall make the report publicly available to the maximum extent practicable.

SEC. 646. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch): Provided, That if such proposed regulations are final regulations on the date of enactment of this Act, none of the funds appropriated or made available under this Act may be used to implement, administer, or enforce such final regulations.

SEC. 647. (a) LIMITATION ON CONVERSION TO CONTRACTOR PERFORMANCE.—None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of an executive agency, that on or after the date of enactment of this Act, is performed by more than ten federal employees unless—

(1) the conversion is based on the result of a public-private competition plan that includes a most efficient and cost effective organization plan developed by such activity or function; and

(2) the Competitive Sourcing Official considers, as part of the cost or price evaluation, whether over all performance peri-

ods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the executive agency by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000.

(b) Not later than 120 days following the enactment of this Act and not later than December 31 of each year thereafter, the head of each executive agency shall submit to Congress a report on the competitive sourcing activities on the list required under the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note) that were performed for such executive agency during the previous fiscal year by Federal Government sources. The report shall include—

(1) the total number of competitions completed;

(2) the total number of competitions announced, together with a list of the activities covered by such competitions;

(3) the total number (expressed as a full-time employee equivalent number) of the Federal employees studied under completed competitions;

(4) the total number (expressed as a full-time employee equivalent number) of the Federal employees that are being studied under competitions announced but not completed;

(5) the incremental cost directly attributable to conducting the competitions identified under paragraphs (1) and (2), including costs attributable to paying outside consultants and contractors;

(6) an estimate of the total anticipated savings, or a quantifiable description of improvements in service or performance, derived from completed competitions;

(7) actual savings, or a quantifiable description of improvements in service or performance, derived from the implementation of competitions completed after May 29, 2003;

(8) the total projected number (expressed as a full-time employee equivalent number) of the Federal employees that are to be covered by competitions scheduled to be announced in the fiscal year covered by the next report required under this section; and

(9) a general description of how the competitive sourcing decisionmaking processes of the executive agency are aligned with the strategic workforce plan of that executive agency.

(c) The head of an executive agency may not be required, under Office of Management and Budget Circular A–76 or any other policy, directive, or regulation, to automatically limit to 5 years or less the performance period in a letter of obligation, or other agreement, issued to executive agency employees, if such a letter or other agreement was issued as the result of a public-private competition conducted in accordance with the circular.

(d) Hereafter, the head of an executive agency may expend funds appropriated or otherwise made available for any purpose to the executive agency under this or any other Act to monitor (in the administration of responsibilities under Office of Management and Budget Circular A–76 or any related policy, directive, or regulation) the per-

formance of an activity or function of the executive agency that has previously been subjected to a public-private competition under such circular.

(e) An activity or function of an executive agency that is converted to contractor performance under Office of Management and Budget Circular A–76 may not be performed by the contractor at a location outside the United States except to the extent that such activity or function was previously performed by Federal Government employees outside the United States.

(f) In this section, the term "executive agency" has the meaning given such term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

SEC. 648. Notwithstanding section 1346 of title 31, United States Code, and section 610 of this Act, the head of each executive department and agency shall transfer to or reimburse the Federal Aviation Administration, with the approval of the Director of the Office of Management and Budget, funds made available by this or any other Act for the purposes described below, and shall submit budget requests for such purposes. These funds shall be administered by the Federal Aviation Administration as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director to ensure the operation of the Midway Atoll Airfield by the Federal Aviation Administration pursuant to an operational agreement with the Department of the Interior. The total funds transferred or reimbursed shall not exceed $6,000,000 and shall not be available for activities other than the operation of the airfield. The Director of the Office of Management and Budget shall notify the Committees on Appropriations of such transfers or reimbursements within 15 days of this Act. Such transfers or reimbursements shall begin within 30 days of enactment of this Act.

This division may be cited as the "Transportation, Treasury, and Independent Agencies Appropriations Act, 2004".

DIVISION G—DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

AN ACT

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of article IV of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $29,845,127,000, to remain available until expended: Provided, That not to exceed $17,056,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses" and "Medical services" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $2,529,734,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, $29,017,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C.

chapter 37, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2004, within the resources available, not to exceed $300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $154,850,000, which may be transferred to and merged with the appropriation for "General operating expenses".

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,000, as authorized by 38 U.S.C. 3698, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,400.

In addition, for administrative expenses necessary to carry out the direct loan program, $70,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $52,000, as authorized by 38 U.S.C. chapter 31, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,938,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $300,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, $571,000, which may be transferred to and merged with the appropriation for "General operating expenses": Provided, That no new loans in excess of $50,000,000 may be made in fiscal year 2004.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by 38 U.S.C. chapter 37, subchapter VI, not to exceed $600,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical services" may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in paragraphs (1) through (8) of section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the department and including medical supplies and equipment and salaries and expenses of health-care employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; $17,867,220,000, plus reimbursements: Provided, That of the funds made available under this heading, not to exceed $1,100,000,000 shall be available until September 30, 2005: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That of the funds made available under this heading, the Secretary may transfer up to $400,000,000 to "Construction, major projects" for purposes of implementing CARES subject to a determination by the Secretary that such funds will improve access and quality of veteran's health care needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL ADMINISTRATION

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; information technology hardware and software; uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code; and administrative and legal expenses of the department for collecting and recovering amounts owed the department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); $5,000,000,000, of which $150,000,000 shall be available until September 30, 2005, plus reimbursements.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the

department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry and food services, $4,000,000,000, of which $150,000,000 shall be available until September 30, 2005.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, to remain available until September 30, 2005, $408,000,000, plus reimbursements.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,283,272,000: Provided, That expenses for services and assistance authorized under 38 U.S.C. 3104(a)(1), (2), (5), and (11) that the Secretary determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That the Veterans Benefits Administration shall be funded at not less than $1,005,000,000: Provided further, That of the funds made available under this heading, not to exceed $66,000,000 shall be available for obligation until September 30, 2005: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $144,203,000: Provided, That of the funds made available under this heading, not to exceed $7,200,000 shall be available until September 30, 2005.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as

amended, $62,000,000, to remain available until September 30, 2005.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in 38 U.S.C. 8104(a)(3)(A) or where funds for a project were made available in a previous major project appropriation, $272,690,000, to remain available until expended, of which $181,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities; and of which $10,000,000 shall be to make reimbursements as provided in 41 U.S.C. 612 for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2004, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2004; and (2) by the awarding of a construction contract by September 30, 2005: Provided further, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in 38 U.S.C. 8104(a)(3)(A), $252,144,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are

hereby made available for any project where the estimated cost is equal to or less than the amount set forth in 38 U.S.C. 8104(a)(3)(A), of which $40,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: Provided, That from amounts appropriated under this heading, additional amounts may be used for CARES activities upon notification of and approval by the Committees on Appropriations: Provided further, That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by 38 U.S.C. 8131–8137, $102,100,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by 38 U.S.C. 2408, $32,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

SEC. 101. Any appropriation for fiscal year 2004 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for fiscal year 2004 for salaries and expenses shall be available for services authorized by 5 U.S.C. 3109 hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for "Construction, major projects", "Construction, minor projects", and the "Parking revolving fund") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reimbursement of cost is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2004 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations re-

quired to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2003.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 2004 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

SEC. 107. Notwithstanding any other provision of law, during fiscal year 2004, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the "General operating expenses" account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2004 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2004 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 108. Notwithstanding any other provision of law, the Department of Veterans Affairs shall continue the Franchise Fund pilot program authorized to be established by section 403 of Public Law 103–356 until October 1, 2004: Provided, That the Franchise Fund, established by title I of Public Law 104–204 to finance the operations of the Franchise Fund pilot program, shall continue until October 1, 2004.

SEC. 109. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

SEC. 110. Funds available in any Department of Veterans Affairs appropriation for fiscal year 2004 or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $29,318,000 for the Office of Resolution Management and $3,059,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to "General operating expenses" for use by the office that provided the service.

SEC. 111. No appropriations in this Act for the Department of Veterans Affairs shall be available to enter into any new lease of real property if the estimated annual rental is more than $300,000

unless the Secretary submits a report which the Committees on Appropriations of the Congress approve within 30 days following the date on which the report is received.

SEC. 112. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or treatment of any person by reason of eligibility under section 1710(a)(3) of title 38, United States Code, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require—

(1) current, accurate third-party reimbursement information for purposes of section 1729 of such title; and

(2) annual income information for purposes of section 1722 of such title.

SEC. 113. Of the amounts provided in this Act, $25,000,000 shall be for information technology initiatives to support the enterprise architecture of the Department of Veterans Affairs.

SEC. 114. None of the funds in this Act may be used to implement sections 2 and 5 of Public Law 107–287.

SEC. 115. Receipts that would otherwise be credited to the Veterans Extended Care Revolving Fund, the Medical Facilities Revolving Fund, the Special Therapeutic and Rehabilitation Fund, the Nursing Home Revolving Fund, the Veterans Health Services Improvement Fund, and the Parking Revolving Fund shall be deposited into the Medical Care Collections Fund, and shall be transferred to "Medical services", to remain available until expended, to carry out the purposes of "Medical services".

SEC. 116. (a) The Secretary of Veterans Affairs shall conduct by contract a program of recovery audits for the fee basis and other medical services contracts with respect to payments for hospital care. Notwithstanding section 3302(b) of title 31, United States Code, amounts collected, by setoff or otherwise, as the result of such audits shall be available, without fiscal year limitation, for the purposes for which funds are appropriated under "Medical services" and the purposes of paying a contractor a percent of the amount collected as a result of an audit carried out by the contractor.

(b) All amounts so collected under subsection (a) with respect to a designated health care region (as that term is defined in section 1729A(d)(2) of title 38, United States Code) shall be allocated, net of payments to the contractor, to that region.

SEC. 117. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) that are deposited into the Medical Care Collections Fund may be transferred and merged with "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 118. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the department.

SEC. 119. That such sums as may be deposited to the Medical Care Collections Fund pursuant to 38 U.S.C. 1729A may be transferred to "Medical services", to remain available until expended for the purposes of this account.

SEC. 120. Amounts made available for fiscal year 2004 under the "Medical services", "Medical administration", and "Medical facilities" accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts after notice of the amount and purpose of the transfer is provided to the Committees on Appropriations of the Senate and House of Representatives and a period of 30 days has elapsed: Provided, That the limitation on transfers is 20 percent in fiscal year 2004.

SEC. 121. The Department of Veterans Affairs shall implement the Veterans Health Administration account structure described under this Act by no later than 90 days after the date of enactment of this Act and shall submit its fiscal year 2005 budget justifications using the identical structure provided under this Act.

SEC. 122. That of the unobligated balances remaining from prior year recoveries under the heading "Medical care", $270,000,000 are rescinded.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For activities and assistance under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, $19,371,481,762, and amounts that are recaptured in this account, to remain available until expended: Provided, That of the amounts made available under this heading, $15,171,481,762 and the aforementioned recaptures shall be available on October 1, 2003 and $4,200,000,000 shall be available on October 1, 2004: Provided further, That amounts made available under this heading are provided as follows:

(1) $17,635,130,745 for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts, for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act, for the renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for renewals of expiring section 8 tenant-based annual contributions contracts (including amendments and renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act (42 U.S.C. 1437f(t))): Provided, That notwithstanding any other

provision of law, the Secretary shall renew expiring section 8 tenant-based annual contributions contracts for each public housing agency, (including for agencies participating in the Moving to Work demonstration, unit months representing section 8 tenant-based assistance funds committed by the public housing agency for specific purposes, other than reserves, that are authorized pursuant to any agreement and conditions entered into under such demonstration, and utilized in compliance with any applicable program obligation deadlines) based on the total number of unit months which were under lease as reported on the most recent end-of-year financial statement submitted by the public housing agency to the Department, or as adjusted by such additional information submitted by the public housing agency to the Secretary as of August 1, 2003 (subject to verification), and by applying an inflation factor based on local or regional factors to the actual per unit cost: Provided further, That none of the funds made available in this paragraph may be used to support a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract;

(2) $136,846,017 for a central fund to be allocated by the Secretary for amendments to section 8 tenant-based annual contributions contracts for such purposes set forth in this paragraph: Provided, That subject to the following proviso, the Secretary may use amounts made available in such fund, as necessary, for an increase in the total number of unit months under lease as compared to the number of unit months under lease as of August 1, 2003, provided for by the annual contributions contract: Provided further, That if a public housing agency, at any point in time during their fiscal year, has obligated the amounts made available to such agency pursuant to paragraph (1) under this heading for the renewal of expiring section 8 tenant-based annual contributions contracts, and if such agency has expended fifty percent of the amounts available to such agency in its annual contributions contract reserve account, the Secretary may only make available amounts as are necessary from amounts available from such central fund to fund additional leased units under the preceding proviso within thirty days of a request from such agency: Provided further, That none of the funds made available in this paragraph may be used to support a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract: Provided further, That the Secretary shall provide quarterly reports to the Committees on Appropriations of the House and the Senate on the obligation of funds provided in this paragraph in accordance with the directions specified in the report accompanying this Act;

(3) $206,495,000 for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law

enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act (42 U.S.C.1437f(t)), and tenant protection assistance, including replacement and relocation assistance;

(4) $48,000,000 for family self-sufficiency coordinators under section 23 of the Act;

(5) not to exceed $1,242,000,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $50,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs: Provided, That not to exceed $1,192,000,000 of the amount provided in this paragraph shall be allocated on a pro rata basis to public housing agencies based on the amount public housing agencies were eligible to receive in fiscal year 2003 without regard to the reduction required for excess administrative fee balances: Provided further, That, amounts under this paragraph shall be distributed according to the requirements of this paragraph and notwithstanding any other provision of law: Provided further, That none of the funds provided in this Act or any other Act may be used to supplement the amounts provided in this paragraph: Provided further, That all such administrative fee amounts provided under this paragraph shall be only for activities related to the provision of rental assistance under section 8, including related development activities;

(6) $100,000,000 for contract administrators for section 8 project-based assistance; and

(7) not less than $3,010,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under "Public and Indian Housing": Provided, That the Secretary may transfer up to 15 percent of funds provided under paragraphs (1), (2) or (5), herein to paragraphs (1) or (2), if the Secretary determines that such action is necessary because the funding provided under one such paragraph otherwise would be depleted and as a result, the maximum utilization of section 8 tenant-based assistance with the funds appropriated for this purpose by this Act would not be feasible: Provided further, That prior to undertaking the transfer of funds in excess of 10 percent from any paragraph pursuant to the previous proviso, the Secretary shall notify the Chairman and Ranking Member of the Subcommittees on Veterans Affairs and Housing and Urban Development, and Independent Agencies of the Committees on Appropriations of the House of Representatives and the Senate and shall not transfer any such funds until 30 days after such notification: Provided further, That incremental vouchers previously made available under this heading for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover: Provided further, That, hereafter, the Secretary shall require public housing agencies to submit accounting data for funds disbursed under this heading in this Act and prior Acts by source and purpose of such funds: Provided further, That $2,844,000,000 is rescinded from unobligated balances re-

maining from funds appropriated to the Department of Housing and Urban Development under this heading or the heading "Annual contributions for assisted housing" or any other heading for fiscal year 2003 and prior years, to be effected by the Secretary no later than September 30, 2004: Provided further, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall be available for the rescission: Provided further, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be cancelled.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g) (the "Act") $2,712,255,000, to remain available until September 30, 2007: Provided, That notwithstanding any other provision of law or regulation, during fiscal year 2004, the Secretary may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: Provided further, That of the total amount provided under this heading, up to $50,000,000 shall be for carrying out activities under section 9(h) of such Act, of which $13,000,000 shall be for the provision of remediation services to public housing agencies identified as "troubled" under the Section 8 Management Assessment Program and for surveys used to calculate local Fair Market Rents and assess housing conditions in connection with rental assistance under section 8 of the Act: Provided further, That of the total amount provided under this heading, up to $500,000 shall be for lease adjustments to section 23 projects, and no less than $10,610,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under "Public and Indian housing": Provided further, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: Provided further, That of the total amount provided under this heading, up to $40,000,000 shall be available for the Secretary of Housing and Urban Development to make grants to public housing agencies for emergency capital needs resulting from emergencies and natural disasters in fiscal year 2004: Provided further, That of the total amount provided under this heading, $55,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act and the Native American Housing Assistance and Self-Determination Act of 1996: Provided further, That of the total amount provided under this heading, $15,000,000 shall be for Neighborhood Networks grants for activi-

ties authorized in section 9(d)(1)(E) of the United States Housing Act of 1937, as amended: Provided further, That notwithstanding any other provision of law, amounts made available in the previous proviso shall be awarded to public housing agencies on a competitive basis.

The first proviso under this heading in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003, is amended by striking "1998, 1999".

PUBLIC HOUSING OPERATING FUND

For 2004 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), $3,600,000,000: Provided, That of the total amount provided under this heading, $10,000,000 shall be for programs, as determined appropriate by the Attorney General, which assist in the investigation, prosecution, and prevention of violent crimes and drug offenses in public and federally-assisted low-income housing, including Indian housing, which shall be administered by the Department of Justice through a reimbursable agreement with the Department of Housing and Urban Development: Provided further, That, in fiscal year 2004 and all fiscal years hereafter, no amounts under this heading in any appropriations Act may be used for payments to public housing agencies for the costs of operation and management of public housing for any year prior to the current year of such Act: Provided further, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, as amended, $150,000,000, to remain available until September 30, 2005, of which the Secretary may use up to $4,000,000 for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: Provided, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $654,100,000, to remain available until expended, of which $2,200,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National Amer-

ican Indian Housing Council in support of the implementation of NAHASDA; of which $4,500,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of Indian housing and tenant-based assistance, including up to $300,000 for related travel; and of which no less than $2,720,000 shall be transferred to the Working Capital Fund for development of and modifications to information technology systems which serve programs or activities under "Public and Indian housing": Provided, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $16,658,000: Provided further, That for administrative expenses to carry out the guaranteed loan program, up to $150,000 from amounts in the first proviso, which shall be transferred to and merged with the appropriation for "Salaries and expenses", to be used only for the administrative costs of these guarantees.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $5,300,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $197,243,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $250,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for "Salaries and expenses", to be used only for the administrative costs of these guarantees.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b), $1,035,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $39,712,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $35,000 from amounts in the first paragraph, which shall be transferred to and merged with the appro-

priation for "Salaries and expenses", to be used only for the administrative costs of these guarantees.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $296,500,000, to remain available until September 30, 2005: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: Provided further, That the Secretary may use up to $2,500,000 of the funds under this heading for training, oversight, and technical assistance activities.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For the Office of Rural Housing and Economic Development in the Department of Housing and Urban Development, $25,000,000 to remain available until expended, which amount shall be competitively awarded by June 1, 2004, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to support innovative housing and economic development activities in rural areas.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

For grants in connection with a second round of empowerment zones and enterprise communities, $15,000,000, to remain available until September 30, 2005, for "Urban Empowerment Zones", as authorized in section 1391(g) of the Internal Revenue Code of 1986 (26 U.S.C. 1391(g)), including $1,000,000 for each empowerment zone for use in conjunction with economic development activities consistent with the strategic plan of each empowerment zone.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,950,000,000, to remain available until September 30, 2006: Provided, That of the amount provided, $4,356,550,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.): Provided further, That unless explicitly provided for under this heading (except for planning grants provided in the third paragraph and amounts made available in the second paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading (other than a grant made available in this paragraph to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Act) shall be expended for planning and management development and administration: Provided further, That

$72,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act; $3,300,000 shall be for a grant to the Housing Assistance Council; $2,500,000 shall be for a grant to the National American Indian Housing Council; $5,000,000 shall be available as a grant to the National Housing Development Corporation, for operating expenses not to exceed $2,000,000 and for a program of affordable housing acquisition and rehabilitation; $5,000,000 shall be available as a grant to the National Council of La Raza for the HOPE Fund, of which $500,000 is for technical assistance and fund management, and $4,500,000 is for investments in the HOPE Fund and financing to affiliated organizations; $52,000,000 shall be for grants pursuant to section 107 of the Act, of which $9,500,000 shall be for the Native Hawaiian block grant authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996; no less than $4,900,000 shall be transferred to the Working Capital Fund for the development of and modification to information technology systems which serve programs or activities under "Community planning and development"; $27,000,000 shall be for grants pursuant to the Self Help Homeownership Opportunity Program; $34,750,000 shall be for capacity building, of which $30,000,000 shall be for Capacity Building for Community Development and Affordable Housing for LISC and the Enterprise Foundation for activities as authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997, with not less than $5,000,000 of the funding to be used in rural areas, including tribal areas, and of which $4,750,000 shall be for capacity building activities administered by Habitat for Humanity International; $65,000,000 shall be available for YouthBuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading: Provided, That local YouthBuild programs that demonstrate an ability to leverage private and nonprofit funding shall be given a priority for YouthBuild funding: Provided further, That no more than 10 percent of any grant award under the YouthBuild program may be used for administrative costs: Provided further, That of the amount made available for YouthBuild not less than $10,000,000 is for grants to establish YouthBuild programs in underserved and rural areas and $2,000,000 is to be made available for a grant to YouthBuild USA for capacity building for community development and affordable housing activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.

Of the amount made available under this heading, $44,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: Provided, That amounts made available under this paragraph shall be provided in accordance with the terms and conditions specified in the joint explanatory statement of the managers accompanying this Act.

Of the amount made available under this heading, $278,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the joint explanatory statement of the managers accompanying this Act: Provided, That none of the funds provided under this paragraph may be used for program operations.

The referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended with respect to the amount made available to the North Carolina Community Land Trust Initiative by striking "North Carolina Community Land Trust Initiative" and inserting "Orange Community Housing and Land Trust".

The referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended with respect to the amount made available to the Willacy County Boys and Girls Club in Willacy County, Texas by striking "Willacy County Boys and Girls Club in Willacy County, Texas" and inserting "Willacy County, Texas".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 17 by striking "for sidewalks, curbs, street lighting, outdoor furniture and façade improvements in the Mill Village neighborhood" and inserting "for the restoration and renovation of houses within the Lincoln or Dallas mill villages".

The referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended with respect to the amount made available to the Metropolitan Development Association in Syracuse, New York by inserting "and other economic development planning and revitalization activities" after the word "study".

The referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended with respect to the amount made available to the Staten Island Freedom Memorial Fund by striking "Staten Island Freedom Memorial Fund for the construction of a memorial in the Staten Island community of St. George, New York" and inserting "Staten Island Botanical Garden for construction and related activities for a healing garden".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 526 by striking "for an economic development study for the revitalization of Westchester" and inserting "for the reconstruction of renaissance plaza at Main and Mamaroneck in downtown White Plains".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 877 by striking "West Virginia High Technology Consortium Foundation, Inc. in Marion County, West Virginia for facilities construction for a high-tech park" and inserting "Glenville State College in Glenville, West Virginia for construction of a new campus community education center".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 126 by striking "for construction of" and inserting "for facilities improvements and build out for".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 721 by striking "training" and inserting "creation, small business development and quality of life improvements within the State of South Carolina".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 317 by striking "135,000" and inserting "151,000".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 324 by striking "225,000" and inserting "209,000".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 74 by striking "renovation" and inserting "design and construction".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 718 by striking "construction" and inserting "renovation".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 785 by striking "to the Town of Altavista, Virginia to assist with renovations of the shell building industrial site" and inserting "to the County of Campbell, Virginia for development of the Winston Tract Commercial Center industrial site".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 253 by striking "to the Salvation Army/Boys and Girls Club-Northfolk community center" and inserting "to the Salvation Army Boys and Girls Club in Louisville, Kentucky for the renovation of the Newburg community center".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 288 by striking "for building renovations" and inserting "for signage, street furniture, sidewalks and streetscape improvements".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended

with respect to item number 217 by striking "$135,000 to the Village of Olympia Fields, Illinois for construction of a hall, public library and upgraded commuter station" and inserting "$135,000 to the Village of Olympia Fields, Illinois, for sidewalks, street lighting, neighborhood redevelopment improvements, and building renovations".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 809 by striking "$90,000 to the Department of Vermont Veterans of Foreign Wars for the construction of the Green Block Veterans Memorial in Brandon, Vermont and the Windsor, Vermont War Memorial" and inserting "$90,000 to the Department of Buildings and General Services of the State of Vermont for the construction of the Brandon, Vermont Veterans Memorial and the Windsor, Vermont War Memorial".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 244 by striking "$900,000 to Purdue University in West Lafayette, Indiana for facilities construction for the Northwest Indiana Purdue Technology Center" and inserting "$900,000 to Purdue Research Foundation in West Lafayette, Indiana for facilities buildout for the Northwest Indiana Purdue Technology Center".

The referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended with respect to the amount made available to Connecticut Hospice, Inc. of Branford, Connecticut by striking "for construction of a new facility" and inserting "for facilities renovation and equipment upgrades".

The referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended with respect to a grant made available to the United Way community services facility in Anchorage, Alaska by striking "the United Way community services facility in Anchorage, Alaska to complete construction of asocial service facility to serve low-income people;" and inserting in lieu thereof "the Cook Inlet Tribal Council, Inc. in Anchorage, Alaska as a federal contribution for construction of asocial service facility to serve low income people;".

The referenced statement of the managers under this heading in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; H. Rept. 108–10) is deemed to be amended with respect to item number 137 by striking "Wilmington Housing Authority" and inserting "City of Wilmington".

URBAN DEVELOPMENT ACTION GRANTS

From balances of the Urban Development Action Grant Program, as authorized by title I of the Housing and Community Development Act of 1974, as amended, $30,000,000 are cancelled.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, $6,325,000, to remain available until September 30, 2005, as authorized by section 108 of the Housing and Community Development Act of 1974, as amended:

Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $275,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended.

In addition, for administrative expenses to carry out the guaranteed loan program, $1,000,000 which shall be transferred to and merged with the appropriation for "Salaries and expenses".

BROWNFIELDS REDEVELOPMENT

For competitive economic development grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, $25,000,000, to remain available until September 30, 2005.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,930,000,000, to remain available until September 30, 2006: Provided, That of the total amount provided in this paragraph, up to $40,000,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968 and no less than $2,100,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under "Community planning and development".

In addition to amounts otherwise made available under this heading, $87,500,000, to remain available until September 30, 2006, for assistance to homebuyers as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended: Provided, That the Secretary shall provide such assistance in accordance with a formula to be established by the Secretary that considers, among other things, a participating jurisdiction's need for, and prior commitment to, assistance to homebuyers: Provided further, That should legislation be enacted prior to April 15, 2004, to authorize a new down-payment assistance program under the HOME Investment Partnership Act, the amounts provided under this paragraph shall be distributed for downpayment assistance in accordance with the terms and conditions set forth in such Act.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Home-

less Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,267,000,000, of which $1,247,000,000 to remain available until September 30, 2006, and of which $20,000,000 to remain available until expended: Provided, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing: Provided further, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: Provided further, That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: Provided further, That $12,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: Provided further, That no less than $2,580,000 of the funds appropriated under this heading shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under "Community planning and development".

HOUSING PROGRAMS

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, $778,320,000, plus recaptures and cancelled commitments, to remain available until September 30, 2006, of which amount $30,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which amount up to $25,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary: Provided, That of the amount made available under this heading, $20,000,000 shall be available to the Secretary of Housing and Urban Development only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other

planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q): Provided further, That no less than $470,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under "Housing programs" or "Federal Housing Administration": Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That all balances outstanding, as of September 30, 2003, for capital advances, including amendments to capital advances, for housing for the elderly, as authorized by section 202, for project rental assistance for housing for the elderly, as authorized under section 202(c)(2) of such Act, including amendments to contracts shall be transferred to and merged with the amounts for those purposes under this heading.

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, $250,570,000, plus recaptures and cancelled commitments to remain available until September 30, 2006: Provided, That no less than $470,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under "Housing programs" or "Federal Housing Administration": Provided further, That of the amount provided under this heading, other than amounts for renewal of expiring project-based or tenant-based rental assistance contracts, the Secretary may designate up to 25 percent for tenant-based rental assistance, as authorized by section 811 of such Act, (which assistance is five years in duration): Provided further, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed five years in duration: Provided further, That all balances outstanding, as of September 30, 2003, for capital advances, including amendments to capital advances, for supportive housing for persons with disabilities, as authorized by section 811, for project rental assistance for supportive housing for persons with disabilities, as authorized under section 811(d)(2), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1), shall be

transferred to and merged with the amounts for these purposes under this heading.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2003, and any collections made during fiscal year 2004, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

RENTAL HOUSING ASSISTANCE

(RESCISSION)

Up to $303,000,000 of recaptured section 236 budget authority resulting from prepayment of mortgages subsidized under section 236 of the National Housing Act (12 U.S.C. 1715z–1) shall be rescinded in fiscal year 2004: Provided, That the limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 is reduced in fiscal year 2004 by not more than $303,000,000 in uncommitted balances of authorizations of contract authority provided for this purpose in prior appropriations Acts.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to $13,000,000 to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2004 so as to result in a final fiscal year 2004 appropriation from the general fund estimated at not more than $0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2004 appropriation.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2004, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $185,000,000,000.

During fiscal year 2004, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $50,000,000: Provided, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned

by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $359,000,000, of which not to exceed $355,000,000 shall be transferred to the appropriation for "Salaries and expenses"; and not to exceed $4,000,000 shall be transferred to the appropriation for "Office of Inspector General". In addition, for administrative contract expenses, $85,000,000, of which no less than $20,744,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under "Housing programs" or "Federal Housing Administration": Provided, That to the extent guaranteed loan commitments exceed $65,500,000,000 on or before April 1, 2004, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, $15,000,000, to remain available until expended: Provided, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, of up to $25,000,000,000.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000, of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $229,000,000, of which $209,000,000 shall be transferred to the appropriation for "Salaries and expenses"; and of which $20,000,000 shall be transferred to the appropriation for "Office of Inspector General".

In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, $93,780,000, of which no less than $16,946,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under "Housing programs" or "Federal Housing Administration": Provided, That to the extent guaranteed loan commitments exceed $8,426,000,000 on or before April 1, 2004, an additional $1,980 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments over $8,426,000,000 (including a pro rata amount for any increment

below $1,000,000), but in no case shall funds made available by this proviso exceed $14,400,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $200,000,000,000, to remain available until September 30, 2005.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $10,695,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $10,695,000, shall be transferred to the appropriation for "Salaries and expenses".

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $47,000,000, to remain available until September 30, 2005: Provided, That of the total amount provided under this heading, $7,500,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $48,000,000, to remain available until September 30, 2005, of which $20,250,000 shall be to carry out activities pursuant to such section 561: Provided, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $175,000,000, to remain available until September 30, 2005, of which $10,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban

Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That of the total amount made available under this heading, $50,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs, as identified by the Secretary as having: (1) the highest number of occupied pre-1940 units of rental housing; and (2) a disproportionately high number of documented cases of lead-poisoned children: Provided further, That each grantee receiving funds under the previous proviso shall target those privately owned units and multifamily buildings that are occupied by low-income families as defined under section 3(b)(2) of the United States Housing Act of 1937: Provided further, That not less than 90 percent of the funds made available under this paragraph shall be used exclusively for abatement, inspections, risk assessments, temporary relocations and interim control of lead-based hazards as defined by 42 U.S.C. 4851: Provided further, That each recipient of funds provided under the first proviso shall make a matching contribution in an amount not less than 25 percent: Provided further, That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a Notice of Funding Availability.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $25,000 for official reception and representation expenses, $1,123,130,000, of which $564,000,000 shall be provided from the various funds of the Federal Housing Administration, $10,695,000 shall be provided from funds of the Government National Mortgage Association, $1,000,000 shall be provided from the "Community development loan guarantees program" account, $150,000 shall be provided by transfer from the "Native American housing block grants" account, $250,000 shall be provided by transfer from the "Indian housing loan guarantee fund program" account and $35,000 shall be transferred from the "Native Hawaiian housing loan guarantee fund" account: Provided, That funds made available under this heading shall only be allocated in the manner specified in the report accompanying this Act unless the Committees on Appropriations of both the House of Representatives and the Senate are notified of any changes in an operating plan or reprogramming: Provided further, That no official or employee of the Department shall be designated as an allotment holder unless the Office of the Chief Financial Officer (OCFO) has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives: Provided further, That the Chief Financial Officer shall establish

positive control of and maintain adequate systems of accounting for appropriations and other available funds as required by 31 U.S.C. 1514: Provided further, That for purposes of funds control and determining whether a violation exists under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.), the point of obligation shall be the executed agreement or contract, except with respect to insurance and guarantee programs, certain types of salaries and expenses funding, and incremental funding that is authorized under an executed agreement or contract, and shall be designated in the approved funds control plan: Provided further, That the Chief Financial Officer shall: (a) appoint qualified personnel to conduct investigations of potential or actual violations; (b) establish minimum training requirements and other qualifications for personnel that may be appointed to conduct investigations; (c) establish guidelines and timeframes for the conduct and completion of investigations; (d) prescribe the content, format and other requirements for the submission of final reports on violations; and (e) prescribe such additional policies and procedures as may be required for conducting investigations of, and administering, processing, and reporting on, potential and actual violations of the Anti-Deficiency Act and all other statutes and regulations governing the obligation and expenditure of funds made available in this or any other Act: Provided further, That the Secretary shall fill 7 out of 10 vacancies at the GS–14 and GS–15 levels until the total number of GS–14 and GS–15 positions in the Department has been reduced from the number of GS–14 and GS–15 positions on the date of enactment of Public Law 106–377 by 2½ percent.

The tenth proviso under this heading in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003, is amended by striking "the purpose of" and inserting "purposes of funds control and" and before the colon insert the following ", except with respect to insurance and guarantee programs, certain types of salaries and expenses funding, and incremental funding that is authorized under an executed agreement or contract".

WORKING CAPITAL FUND

For additional capital for the Working Capitol Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, and for the continuing operation of both Department-wide and program-specific information systems, $235,000,000, to remain available until September 30, 2005: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $101,000,000, of which $24,000,000 shall be provided from the various funds of the Federal Housing Administration: Provided, That the Inspector General shall have independent authority over all personnel issues within this office: Provided further, That no less than $300,000 shall be transferred to the Working Capital Fund for the

development of and modifications to information technology systems for the Office of Inspector General.

CONSOLIDATED FEE FUND

(RESCISSION)

All unobligated balances remaining available from fees and charges under section 7(j) of the Department of Housing and Urban Development Act on October 1, 2003 are rescinded.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed $500 for official reception and representation expenses, $39,915,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: Provided, That of the amount made available under this heading, $4,500,000 is for one-time costs to conduct special investigations of the federal housing enterprises and $3,000,000 is for costs associated with strengthening the examination and legal functions: Provided further, That the Secretary shall submit a spending plan for the amounts provided under this heading no later than January 15, 2004: Provided further, That not less than 60 percent of total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital requirements under Subtitle B of such Act: Provided further, That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: Provided further, That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than $0.

ADMINISTRATIVE PROVISIONS

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority

or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2004 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2004 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2004 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2004 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2004, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

SEC. 204. (a) During fiscal year 2004, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan specified in subsection (b) of this section, notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

(b) The counties specified in this subsection are Oakland County, Macomb County, Wayne County, and Washtenaw County, in the State of Michigan.

SEC. 205. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989.

SEC. 206. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or sec-

tion 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 207. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 208. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2003 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 209. None of the funds provided in this title for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the Budget Justifications. For fiscal year 2004, HUD shall transmit this information to the Committees by January 15, 2004 for 30 days of review.

SEC. 210. A public housing agency or such other entity that administers Federal housing assistance in the states of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 in the states of Alaska, Iowa and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 211. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 212. Notwithstanding any other provision of law, in fiscal year 2004, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

SEC. 213. The Secretary of Housing and Urban Development shall submit an annual report no later than August 30, 2004 and annually thereafter to the House and Senate Committees on Appropriations regarding the number of Federally assisted units under lease and the per unit cost of these units to the Department of Housing and Urban Development.

SEC. 214. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2004 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter "metropolitan division") of the Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in New Jersey. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2004 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

SEC. 215. Section 224 of the National Housing Act (12 U.S.C. 1735o) is amended by adding the following new sentence at the end of the first paragraph: "Notwithstanding the preceding sentence and the following paragraph, if an insurance claim is paid in cash for any mortgage that is insured under section 203 or 234 of this Act

and is endorsed for mortgage insurance after the date of enactment of this sentence, the debenture interest rate for purposes of calculating such a claim shall be the monthly average yield, for the month in which the default on the mortgage occurred, on United States Treasury Securities adjusted to a constant maturity of ten years.".

SEC. 216. The McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) is amended—

(1) in section 101(b), by striking "Interagency Council on the Homeless" and inserting "United States Interagency Council on Homelessness";

(2) in section 102(b)(1), by striking "an Interagency Council on the Homeless" and inserting "the United States Interagency Council on Homelessness";

(3) in the heading for title II, by striking "INTERAGENCY COUNCIL ON THE HOMELESS" and inserting "UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS"; and

(4) in sections 201, 207(1), 501(c)(2)(a), and 501(d)(3), by striking "Interagency Council on the Homeless" and inserting "United States Interagency Council on Homelessness".

SEC. 217. (a) INFORMATION COMPARISONS FOR PUBLIC AND ASSISTED HOUSING PROGRAMS.—Section 453(j) of the Social Security Act (42 U.S.C. 653(j)) is amended by adding at the end the following new paragraph:

"(7) INFORMATION COMPARISONS FOR HOUSING ASSISTANCE PROGRAMS.—

"(A) FURNISHING OF INFORMATION BY HUD.—Subject to subparagraph (G), the Secretary of Housing and Urban Development shall furnish to the Secretary, on such periodic basis as determined by the Secretary of Housing and Urban Development in consultation with the Secretary, information in the custody of the Secretary of Housing and Urban Development for comparison with information in the National Directory of New Hires, in order to obtain information in such Directory with respect to individuals who are participating in any program under—

"(i) the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.);

"(ii) section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

"(iii) section 221(d)(3), 221(d)(5), or 236 of the National Housing Act (12 U.S.C. 1715l(d) and 1715z–1);

"(iv) section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013); or

"(v) section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s).

"(B) REQUIREMENT TO SEEK MINIMUM INFORMATION.—The Secretary of Housing and Urban Development shall seek information pursuant to this section only to the extent necessary to verify the employment and income of individuals described in subparagraph (A).

"(C) DUTIES OF THE SECRETARY.—

"(i) INFORMATION DISCLOSURE.—The Secretary, in cooperation with the Secretary of Housing and Urban

Development, shall compare information in the National Directory of New Hires with information provided by the Secretary of Housing and Urban Development with respect to individuals described in subparagraph (A), and shall disclose information in such Directory regarding such individuals to the Secretary of Housing and Urban Development, in accordance with this paragraph, for the purposes specified in this paragraph.

"(ii) CONDITION ON DISCLOSURE.—The Secretary shall make disclosures in accordance with clause (i) only to the extent that the Secretary determines that such disclosures do not interfere with the effective operation of the program under this part.

"(D) USE OF INFORMATION BY HUD.—The Secretary of Housing and Urban Development may use information resulting from a data match pursuant to this paragraph only—

"(i) for the purpose of verifying the employment and income of individuals described in subparagraph (A); and

"(ii) after removal of personal identifiers, to conduct analyses of the employment and income reporting of individuals described in subparagraph (A).

"(E) DISCLOSURE OF INFORMATION BY HUD.—

"(i) PURPOSE OF DISCLOSURE.—The Secretary of Housing and Urban Development may make a disclosure under this subparagraph only for the purpose of verifying the employment and income of individuals described in subparagraph (A).

"(ii) DISCLOSURES PERMITTED.—Subject to clause (iii), the Secretary of Housing and Urban Development may disclose information resulting from a data match pursuant to this paragraph only to a public housing agency, the Inspector General of the Department of Housing and Urban Development, and the Attorney General in connection with the administration of a program described in subparagraph (A). Information obtained by the Secretary of Housing and Urban Development pursuant to this paragraph shall not be made available under section 552 of title 5, United States Code.

"(iii) CONDITIONS ON DISCLOSURE.—Disclosures under this paragraph shall be—

"(I) made in accordance with data security and control policies established by the Secretary of Housing and Urban Development and approved by the Secretary;

"(II) subject to audit in a manner satisfactory to the Secretary; and

"(III) subject to the sanctions under subsection (l)(2).

"(iv) ADDITIONAL DISCLOSURES.—

"(I) DETERMINATION BY SECRETARIES.—The Secretary of Housing and Urban Development and

the Secretary shall determine whether to permit disclosure of information under this paragraph to persons or entities described in subclause (II), based on an evaluation made by the Secretary of Housing and Urban Development (in consultation with and approved by the Secretary), of the costs and benefits of disclosures made under clause (ii) and the adequacy of measures used to safeguard the security and confidentiality of information so disclosed.

"(II) PERMITTED PERSONS OR ENTITIES.—If the Secretary of Housing and Urban Development and the Secretary determine pursuant to subclause (I) that disclosures to additional persons or entities shall be permitted, information under this paragraph may be disclosed by the Secretary of Housing and Urban Development to a private owner, a management agent, and a contract administrator in connection with the administration of a program described in subparagraph (A), subject to the conditions in clause (iii) and such additional conditions as agreed to by the Secretaries.

"(v) RESTRICTIONS ON REDISCLOSURE.—A person or entity to which information is disclosed under this subparagraph may use or disclose such information only as needed for verifying the employment and income of individuals described in subparagraph (A), subject to the conditions in clause (iii) and such additional conditions as agreed to by the Secretaries.

"(F) REIMBURSEMENT OF HHS COSTS.—The Secretary of Housing and Urban Development shall reimburse the Secretary, in accordance with subsection (k)(3), for the costs incurred by the Secretary in furnishing the information requested under this paragraph.

"(G) CONSENT.—The Secretary of Housing and Urban Development shall not seek, use, or disclose information under this paragraph relating to an individual without the prior written consent of such individual (or of a person legally authorized to consent on behalf of such individual).".

(b) CONSENT TO INFORMATION COMPARISON AND USE AS CONDITION OF HUD PROGRAM ELIGIBILITY.—As a condition of participating in any program authorized under—

(1) the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.);

(2) section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

(3) section 221(d)(3), 221(d)(5), or 236 of the National Housing Act (12 U.S.C. 1715l(d) and 1715z–1);

(4) section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013); or

(5) section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s),

the Secretary of Housing and Urban Development may require consent by an individual (or by a person legally authorized to consent on behalf of such individual) for such Secretary to obtain, use, and

disclose information with respect to such individual in accordance with section 453(j)(7) of the Social Security Act (42 U.S.C. 653(j)(7)).

SEC. 218. Notwithstanding any other provision of law, the State of Hawaii may elect by July 31, 2004 to distribute funds under section 106(d)(2) of the Housing and Community Development Act of 1974, to units of general local government located in nonentitlement areas of that State. If the State of Hawaii fails to make such election, the Secretary shall for fiscal years 2005 and thereafter make grants to the units of general local government located in the State of Hawaii's nonentitlement areas (Hawaii, Kauai, and Maui counties). The Secretary of Housing and Urban Development shall allocate funds under section 106(d) of such Act to units of general local government located in nonentitlement areas within the State of Hawaii in accordance with a formula which bears the same ratio to the total amount available for the nonentitlement areas of the State as the weighted average of the ratios between (1) the population of that eligible unit of general local government and the population of all eligible units of general local government in the nonentitlement areas of the State; (2) the extent of poverty in that eligible unit of general local government and the extent of poverty in all of the eligible units of general local government in the nonentitlement areas of the State; and (3) the extent of housing overcrowding in that eligible unit of general local government and the extent of housing overcrowding in all of the eligible units of general local government in the nonentitlement areas of the State. In determining the weighted average of the ratios described in the previous sentence, the ratio described in clause (2) shall be counted twice and the ratios described in clauses (1) and (3) shall be counted once. Notwithstanding any other provision, grants made under this section shall be subject to the program requirements of section 104 of the Housing and Community Development Act of 1974 in the same manner as such requirements are made applicable to grants made under section 106(b) of the Housing and Community Development Act of 1974.

SEC. 219. The Secretary of Housing and Urban Development shall issue a proposed rulemaking, in accordance with Title V, United States Code, not later than 90 days from the date of enactment of this Act that—

(1) addresses and expands, as necessary, the participation and certification requirements for the sale of HUD-owned multifamily housing projects and the foreclosure sale of any multifamily housing securing a mortgage held by the Secretary, including whether a potential purchaser is in substantial compliance with applicable state or local government housing statutes, regulations, ordinances and codes with regard to other properties owned by the purchaser; and

(2) requires any state, city, or municipality that exercises its right of first refusal for the purchase of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11(i)) to ensure that potential purchasers of the project from the state, city, or municipality are subject to the same standards that they would otherwise be subject to if they had purchased the project directly from the Secretary, including whether a potential purchaser is in substantial compliance with applicable state or local govern-

ment housing statutes, regulations, ordinances and codes with regard to other properties owned by the purchaser.

SEC. 220. Section 217 of Public Law 107–73 is amended by striking "the rehabilitation" and inserting in lieu thereof: "redevelopment, including demolition and new construction".

SEC. 221. Notwithstanding any other provision of law, funds appropriated for the housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, shall be available for the cost of maintaining and disposing of such properties that are acquired or otherwise become the responsibility of the Department.

SEC. 222. The Secretary of Housing and Urban Development shall conduct negotiated rulemaking with representatives from interested parties for purposes of any changes to the formula governing the Public Housing Operating Fund. A final rule shall be issued no later than July 1, 2004.

SEC. 223. The Department of Housing and Urban Development shall submit the Department's fiscal year 2005 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction included in the joint explanatory statement of the managers accompanying this Act.

TITLE III—INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $41,300,000, to remain available until expended.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $8,250,000: Provided, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: Provided further, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental

Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: Provided further, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

EMERGENCY FUND

For necessary expenses of the Chemical Safety and Hazard Investigation Board for accident investigations not otherwise provided for, $450,000, to remain available until expended.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $61,000,000, to remain available until September 30, 2005, of which $4,000,000 shall be for financial assistance, technical assistance, training and outreach programs designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations and other suitable providers, and up to $12,000,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to $6,000,000 may be used for the cost of direct loans, and up to $250,000 may be used for administrative expenses to carry out the direct loan program: Provided, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $11,000,000.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $60,000,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (the "Corporation") in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (the "Act") (42 U.S.C. 12501 et seq.), $553,225,000, to remain available until September 30, 2005: Provided, That not more than $314,000,000 of the amount provided under this heading shall be available for grants under the National Service Trust Program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities of the AmeriCorps program), including grants to organizations operating projects under the AmeriCorps Education Awards Program (without regard to the requirements of sections 121(d) and (e), section 131(e), section 132, and sections 140(a), (d), and (e) of the Act): Provided further, That not less than $130,000,000 of the amount provided under this heading, to remain available without fiscal year limitation, shall be transferred to the National Service Trust for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601), of which up to $5,000,000 shall be available to support national service scholarships for high school students performing community service, and of which $10,000,000 shall be held in reserve as defined in Public Law 108–45: Provided further, That in addition to amounts otherwise provided to the National Service Trust under the second proviso, the Corporation may transfer funds from the amount provided under the first proviso, to the National Service Trust authorized under subtitle D of title I of the Act (42 U.S.C. 12601) upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to Congress: Provided further, That of the amount provided under this heading for grants under the National Service Trust program authorized under subtitle C of title I of the Act, not more than $55,000,000 may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)): Provided further, That not more than $11,225,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12853 et seq.), of which $3,000,000 shall be available for challenge grants to non-profit organizations: Provided further, That notwithstanding subtitle H of title I of the Act (42 U.S.C. 12853), none of the funds provided under the previous proviso shall be used to support salaries and related expenses (including travel) attributable to Corporation employees: Provided further, That to the maximum extent feasible, funds appropriated under subtitle C of title I of the Act shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: Provided further, That not less than $25,000,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): Pro-

vided further, That not more than $43,000,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): Provided further, That not more than $3,000,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639): Provided further, That not more than $10,000,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.), of which not more than $2,500,000 may be used to support an endowment fund, the corpus of which shall remain intact and the interest income from which shall be used to support activities described in title III of the Act, provided that the Foundation may invest the corpus and income in federally insured bank savings accounts or comparable interest bearing accounts, certificates of deposit, money market funds, mutual funds, obligations of the United States, and other market instruments and securities but not in real estate investments: Provided further, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12571(b)): Provided further, That not more than $5,000,000 of the funds made available under this heading shall be made available to America's Promise—The Alliance for Youth, Inc.: Provided further, That to the maximum extent practicable, the Corporation shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, and shall reduce the total Federal costs per participant in all programs.

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(4) of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $25,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $6,250,000, to remain available until September 30, 2005.

ADMINISTRATIVE PROVISIONS

Notwithstanding any other provision of law, the term "qualified student loan" with respect to national service education awards shall mean any loan determined by an institution of higher education to be necessary to cover a student's cost of attendance at such institution and made, insured, or guaranteed directly to a student by a State agency, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

Notwithstanding any other provision of law, funds made available under section 129(d)(5)(B) of the National and Community Service Act to assist entities in placing applicants who are individ-

uals with disabilities may be provided to any entity that receives a grant under section 121 of the Act.

The Inspector General of the Corporation for National and Community Service shall conduct random audits of the grantees that administer activities under the AmeriCorps programs and shall levy sanctions in accordance with standard Inspector General audit resolution procedures which include, but are not limited to, debarment of any grantee (or successor in interest or any entity with substantially the same person or persons in control) that has been determined to have committed any substantial violations of the requirements of the AmeriCorps programs, including any grantee that has been determined to have violated the prohibition of using Federal funds to lobby the Congress: Provided, That the Inspector General shall obtain reimbursements in the amount of any misused funds from any grantee that has been determined to have committed any substantial violations of the requirements of the AmeriCorps programs.

For fiscal year 2004, the Corporation shall make any significant changes to program requirements or policy only through public notice and comment rulemaking. For fiscal year 2004, during any grant selection process, no officer or employee of the Corporation shall knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of the Corporation that is authorized by the Corporation to receive such information.

U.S. Court of Appeals for Veterans Claims

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by 38 U.S.C. 7251–7298, $15,938,000 of which $1,175,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

Department of Defense—Civil

Cemeterial Expenses, Army

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of one passenger motor vehicle for replacement only, and not to exceed $1,000 for official reception and representation expenses, $29,000,000, to remain available until expended.

Department of Health and Human Services

National Institutes of Health

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section

311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $78,774,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $73,467,000, which may be derived to the extent funds are available from the Hazardous Substance Superfund Trust Fund pursuant to section 517(a) of SARA (26 U.S.C. 9507): Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2004, and existing profiles may be updated as necessary.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project, $786,324,000, which shall remain available until September 30, 2005: Provided, That of the funds provided under this heading in Public Law 108–7, in reference to item number 9, the Administrator is authorized to make a grant of $436,000 to the City of San Bernardino, California.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project; and not to exceed $9,000 for official reception and representation expenses, $2,293,578,000, which shall remain available until September 30, 2005, including administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project, $37,558,000, to remain available until September 30, 2005.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $40,000,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project; $1,265,000,000, to remain available until expended, consisting of such sums as are available in the Trust Fund upon the date of enactment of this Act as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,265,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $13,214,000 shall be transferred to the "Office of Inspector General" appropriation to remain available until September 30, 2005, and $44,697,000 shall be transferred to the "Science and technology" appropriation to remain available until September 30, 2005.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project, $76,000,000, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $16,209,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,896,800,000, to remain available until expended, of which $1,350,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the "Act"), of which up to $75,000,000 shall be available for loans, including interest free loans as authorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-municipal, interstate, or State agencies or nonprofit entities for projects that provide treatment for or that minimize sewage or stormwater discharges using one or more approaches which include, but are not limited to, decentralized or distributed stormwater controls, decentralized wastewater treatment, low-impact development practices, conservation easements, stream buffers, or wetlands restoration; $850,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous appropriations Acts, shall be reserved by the Administrator for health effects studies on drinking water contaminants; $50,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $43,000,000 shall be for grants to the State of Alaska to address drinking water and waste infrastructure needs of rural and Alaska Native Villages: Provided, That, of these funds (1) the State of Alaska shall provide a match of 25 percent, (2) no more than 5 percent of the funds may be used for administrative and overhead expenses, and (3) not later than October 1, 2004 and thereafter, a statewide priority list shall be established which shall remain in effect for at least 3 years for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities; $3,500,000 shall be for reme-

diation of above ground leaking fuel tanks pursuant to Public Law 106–554; $325,000,000 shall be for making grants for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection in accordance with the terms and conditions specified for such grants in the joint explanatory statement of the managers accompanying this Act, and, for purposes of these grants, each grantee shall contribute not less than 45 percent of the cost of the project unless the grantee is approved for a waiver by the Agency; $6,600,000 for grants for construction of alternative decentralized wastewater facilities under the National Decentralized Wastewater Demonstration program, in accordance with the terms and conditions specified in the joint explanatory statement of the managers accompanying this Act; $93,500,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; and $1,175,200,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities of which and subject to terms and conditions specified by the Administrator, of which $50,000,000 shall be for carrying out section 128 of CERCLA, as amended, and $20,000,000 shall be for Environmental Information Exchange Network grants, including associated program support costs: Provided further, That for fiscal year 2004, State authority under section 302(a) of Public Law 104–182 shall remain in effect: Provided further, That notwithstanding section 603(d)(7) of the Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2004 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2004, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act: Provided further, That for fiscal year 2004, notwithstanding the limitation on amounts in section 518(c) of the Act, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under title VI of that Act may be reserved by the Administrator for grants under section 518(c) of such Act: Provided further, That no funds provided by this legislation to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the

development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure: Provided further, That the referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended by striking "wastewater" in reference to item number 219 and inserting "water": Provided further, That the referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended by striking "wastewater" in reference to item number 409 and inserting "water": Provided further, That the referenced statement of the managers under this heading in Public Law 108–7, item number 383, is deemed to be amended by adding after the word "overflow", "and water infrastructure": Provided further, That the referenced statement of the managers under this heading in Public Law 108–7, item number 255, is deemed to be amended by inserting "water and" after the words "Mississippi for": Provided further, That the referenced statement of the managers under this heading in Public Law 108–7, item number 256, is deemed to be amended by adding after the word "for", "water and": Provided further, That the referenced statement of the managers under this heading in Public Law 105–276, in reference to item number 19, is deemed to be amended by striking "Wolfe County", and inserting "the City of Campton": Provided further, That the referenced statement of the managers under this heading in Public Law 108–7, in reference to item number 364, is deemed to be amended by striking everything after "improvements": Provided further, That the referenced statement of the managers under this heading in Public Law 108–7, in reference to item number 191, is deemed to be amended by striking "wastewater", and inserting "water": Provided further, That the referenced statement of the managers under this heading in Public Law 108–7, in reference to item number 223, is deemed to be amended by adding, "and for other projects within Indian Head after the needs of Woodland Village are met.": Provided further, That the referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended in reference to item number 234, as amended, by striking everything after "234." and inserting, "$1,500,000 for the Town of Delbarton Wastewater Collection and Treatment Replacement/Upgrade Project.": Provided further, That the referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended by striking "wastewater" in reference to item number 469 and inserting "water": Provided further, That the referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended by striking "Fayette, Mississippi for the Jefferson County" in reference to item number 263 and inserting "Jefferson County, Mississippi": Provided further, That notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency shall certify grant amendments for grant number C34–0714–03.

ADMINISTRATIVE PROVISIONS

For fiscal year 2004, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agree-

ments to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by subsection (f)(2) of the Pesticide Registration Improvement Act of 2003).

Notwithstanding CERCLA 104(k)(4)(B)(i)(IV), appropriated funds for fiscal year 2004 may be used to award grants or loans under section 104(k) of CERCLA to eligible entities that satisfy all of the elements set forth in CERCLA section 101(40) to qualify as a bona fide prospective purchaser except that the date of acquisition of the property was prior to the date of enactment of the Small Business Liability Relief and Brownfield Revitalization Act of 2001.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $7,027,000.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,238,000: Provided, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $30,125,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund.

GENERAL SERVICES ADMINISTRATION

FEDERAL CITIZEN INFORMATION CENTER FUND

For necessary expenses of the Federal Citizen Information Center, including services authorized by 5 U.S.C. 3109, $14,000,000, to be deposited into the Federal Citizen Information Center Fund: Provided, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Information Center activities in the aggregate amount not to exceed $21,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2004 in excess of $21,000,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the Interagency Council on the Homeless in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $1,500,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SPACE FLIGHT CAPABILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of space flight capabilities research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $7,512,100,000, to remain available until September 30, 2005, of which $15,000,000 of amounts for the Space Shuttle Life Extension Program shall be for the development and independent assessment of concepts to increase Space Shuttle crew survivability for crew sizes of 4 to 7 astronauts, and of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to "Science, aeronautics and exploration" in accordance with section

312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377.

SCIENCE, AERONAUTICS AND EXPLORATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and exploration research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $7,929,900,000, to remain available until September 30, 2005, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to "Space flight capabilities" in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $27,300,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for "Science, aeronautics and exploration", or "Space flight capabilities" by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities or environmental compliance and restoration activities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated for institutional minor revitalization and construction of facilities, and institutional facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for "Science, aeronautics and exploration", or "Space flight capabilities" by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2006.

From amounts made available in this Act for these activities, the Administration may transfer amounts between aeronautics of the "Science, aeronautics and exploration" account and crosscutting technologies of the "Space flight capabilities" account.

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

The unexpired balances of prior appropriations to NASA for activities for which funds are provided under this Act may be transferred to the new account established for the appropriation that provides such activity under this Act. Balances so transferred may be merged with funds in the newly established account and thereafter may be accounted for as one fund under the same terms and conditions.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2004, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed $1,500,000,000: Provided, That administrative expenses of the Central Liquidity Facility in fiscal year 2004 shall not exceed $310,000.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $1,200,000 shall be available: Provided, That of this amount $200,000, together with amounts of principal and interest on loans repaid, is available until expended for loans to community development credit unions, and $1,000,000 is available until September 30, 2004 for technical assistance to low-income and community development credit unions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $4,276,600,000, of which not to exceed $345,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 2005: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: Provided further, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: Provided further, That $90,000,000 of the funds available under this heading shall be made available

for a comprehensive research initiative on plant genomes for economically significant crops.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, $155,900,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, $944,550,000, to remain available until September 30, 2005: Provided, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; $220,000,000: Provided, That contracts may be entered into under "Salaries and expenses" in fiscal year 2004 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $3,900,000: Provided, That not more than $9,000 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $10,000,000, to remain available until September 30, 2005.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $115,000,000, of which $5,000,000 shall be for a multi-family rental housing program.

ADMINISTRATIVE PROVISION

Section 605(a) of the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8104) is amended by—

(1) striking out "compensation" and inserting "salary"; and striking out "highest rate provided for GS–18 of the General Schedule under section 5332 of title 5 United States Code"; and inserting "rate for level IV of the Executive Schedule"; and

(2) inserting after the end the following sentence: "The Corporation shall also apply the provisions of section 5307(a)(1), (b)(1) and (b)(2) of title 5, United States Code, governing limitations on certain pay as if its employees were Federal employees receiving payments under title 5.".

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $26,308,000: Provided, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: Provided further, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

TITLE IV—GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made; or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Officer or is specifically exempt by law from such audit.

SEC. 403. None of the funds provided in this Act to any department or agency may be obligated or expended for: (1) the transportation of any officer or employee of such department or agency between the domicile and the place of employment of the officer or employee, with the exception of an officer or employee authorized such transportation under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2) to provide a cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 404. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: Provided, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 405. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 406. None of the funds provided in this Act may be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 407. Except as otherwise provided under existing law, or under an existing Executive order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are: (1) a matter of public record and available for public inspection; and (2) thereafter included in a publicly available list of all contracts entered into within 24 months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 408. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A–21.

SEC. 409. Such sums as may be necessary for fiscal year 2004 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 410. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall

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

SEC. 411. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 412. Except in the case of entities that are funded solely with Federal funds or any natural persons that are funded under this Act, none of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties to lobby or litigate in respect to adjudicatory proceedings funded in this Act. A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.

SEC. 413. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 414. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 415. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 416. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 417. Section 312 of the National Aeronautics and Space Administration Act of 1958, as amended, is further amended—

(1) by striking the second Sec. "312" and inserting "313";

(2) by inserting the title, "Full Cost Appropriations Account Structure", before Sec. 313;

(3) in subsection (a)—

(A) by striking "Human space flight" and inserting "Space flight capabilities";

(B) by striking "technology" and inserting "exploration"; and

(C) by striking "2002" and inserting "2004"; and

(4) by striking subsection (c), and inserting the following new subsection:

"(c) The unexpired balances of prior appropriations to the Administration for activities authorized under this Act may be transferred to the new account established for such activity in subsection

(a). Balances so transferred may be merged with funds in the newly established account and thereafter may be accounted for as one fund under the same terms and conditions".

SEC. 418. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 419. None of the funds provided in this Act may be expended to apply, in a numerical estimate of the benefits of an agency action prepared pursuant to Executive Order No. 12866 or section 312 of the Clean Air Act (42 U.S.C. 7612), monetary values for adult premature mortality that differ based on the age of the adult.

SEC. 420. It is the sense of Congress that no veteran should wait more than 30 days for an initial doctor's appointment.

SEC. 421. It is the sense of the Congress that human dosing studies of pesticides raises ethical and health questions.

SEC. 422. None of the funds made available to NASA in this Act may be used for voluntary separation incentive payments as provided for in subchapter II of chapter 35 of title 5, United States Code, unless the Administrator of NASA has first certified to Congress that such payments would not result in the loss of skills related to the safety of the Space Shuttle or the International Space Station or to the conduct of independent safety oversight in the National Aeronautics and Space Administration.

SEC. 423. Section 106(d) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(d)) is amended—

(1) in paragraph (3)(A), by striking "shall not exceed 2 percent" and inserting "shall not, subject to paragraph (6), exceed 3 percent";

(2) in paragraph (5), by striking "not to exceed 1 percent" and inserting "subject to paragraph (6), not to exceed 3 percent";

(3) by redesignating the second paragraph (5) and paragraph (6) as paragraphs (7) and (8), respectively; and

(4) by inserting after paragraph (5) the following:

"(6) Of the amounts received under paragraph (1), the State may deduct not more than an aggregate total of 3 percent of such amounts for—

"(A) administrative expenses under paragraph (3)(A); and

"(B) technical assistance under paragraph (5).".

SEC. 424. NATIONAL ACADEMY OF SCIENCES STUDY. The matter under the heading "ADMINISTRATIVE PROVISIONS" under the heading "ENVIRONMENTAL PROTECTION AGENCY" in title III of division K of the Consolidated Appropriations Resolution, 2003 (117 Stat. 513), is amended—

(1) in the first sentence of the fifth undesignated paragraph (beginning "As soon as"), by inserting before the period at the end the following: ", and the impact of the final rule entitled 'Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Equipment Replacement Provision of the Routine Maintenance, Repair and Replacement Exclusion', amending parts 51 and 52 of title 40, Code of Federal Regulations, and published in electronic docket OAR–2002–0068 on August 27, 2003"; and

(2) in the sixth undesignated paragraph (beginning "The National Academy of Sciences"), by striking "March 3, 2004" and inserting "January 1, 2005".

SEC. 425. DESIGNATIONS OF AREAS FOR $PM_{2.5}$ AND SUBMISSION OF IMPLEMENTATION PLANS FOR REGIONAL HAZE. (a) IN GENERAL.—Section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) is amended by adding at the end the following:

"(6) DESIGNATIONS.—

"(A) SUBMISSION.—Notwithstanding any other provision of law, not later than February 15, 2004, the Governor of each State shall submit designations referred to in paragraph (1) for the July 1997 $PM_{2.5}$ national ambient air quality standards for each area within the State, based on air quality monitoring data collected in accordance with any applicable Federal reference methods for the relevant areas.

"(B) PROMULGATION.—Notwithstanding any other provision of law, not later than December 31, 2004, the Administrator shall, consistent with paragraph (1), promulgate the designations referred to in subparagraph (A) for each area of each State for the July 1997 $PM_{2.5}$ national ambient air quality standards.

"(7) IMPLEMENTATION PLAN FOR REGIONAL HAZE.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, not later than 3 years after the date on which the Administrator promulgates the designations referred to in paragraph (6)(B) for a State, the State shall submit, for the entire State, the State implementation plan revisions to meet the requirements promulgated by the Administrator under section 169B(e)(1) (referred to in this paragraph as 'regional haze requirements').

"(B) NO PRECLUSION OF OTHER PROVISIONS.—Nothing in this paragraph precludes the implementation of the agreements and recommendations stemming from the Grand Canyon Visibility Transport Commission Report dated June 1996, including the submission of State implementation plan revisions by the States of Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, or Wyoming by December 31, 2003, for implementation of regional haze requirements applicable to those States.".

(b) RELATIONSHIP TO TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY.—Except as provided in paragraphs (6) and (7) of section 107(d) of the Clean Air Act (as added by subsection (a)), section 6101, subsections (a) and (b) of section 6102, and section 6103 of the Transportation Equity Act for the 21st Century (42 U.S.C. 7407 note; 112 Stat. 463), as in effect on the day before the date of enactment of this Act, shall remain in effect.

SEC. 426. (a) TREATMENT OF PIONEER HOMES IN ALASKA AS STATE HOME FOR VETERANS.—The Secretary of Veterans Affairs may—

(1) treat the Pioneer Homes in the State of Alaska collectively as a single State home for veterans for purposes of section 1741 of title 38, United States Code; and

(2) make per diem payments to the State of Alaska for care provided to veterans in the Pioneer Homes in accordance with the provisions of that section.

(b) TREATMENT NOTWITHSTANDING NON-VETERAN RESIDENCY.—The Secretary may treat the Pioneer Homes as a State home under subsection (a) notwithstanding the residency of non-veterans in one or more of the Pioneer Homes.

(c) PIONEER HOMES DEFINED.—In this section, the term "Pioneer Homes" means the six regional homes in the State of Alaska known as Pioneer Homes, which are located in the following:

(1) Anchorage, Alaska.

(2) Fairbanks, Alaska.

(3) Juneau, Alaska.

(4) Ketchikan, Alaska.

(5) Palmer, Alaska.

(6) Sitka, Alaska.

(d) LIMITATION.—The number of beds occupied by veterans collectively in the six Pioneer Homes listed under subsection (c) for which per diem would be paid under this authority shall not exceed the number of veterans in state beds that otherwise would be permitted in Alaska under the Department of Veterans Affairs state home regulations governing the number of beds per veteran population.

SEC. 427. Of the amounts available to the National Aeronautics and Space Administration, such sums as maybe necessary for the benefit of the families of the astronauts who died on board the Space Shuttle Columbia on February 1, 2003, are available under the terms of section 203(c)(13) of the National Aeronautics and Space Act of 1958, as amended, independent of the limitations established therein.

SEC. 428. REGULATION OF SMALL ENGINES. (a) In considering any request from California to authorize the state to adopt or enforce standards of other requirements relating to the control of emissions from new non-road spark-ignition engines smaller than 50 horsepower, the Administrator shall give appropriate consideration to safety factors (including the potential increased risk of burn or fire) associated with compliance with the California standard.

(b) Not later than December 1, 2004, the Administrator of the Environmental Protection Agency shall propose regulations under the Clean Air Act that shall contain standards to reduce emissions from new nonroad spark-ignition engines smaller than 50 horsepower. Not later than December 31, 2005, the Administrator shall publish in the Federal Register final regulations containing such standards.

(c) No State or any political subdivision thereof may adopt or attempt to enforce any standard or other requirement applicable to spark ignition engines smaller than 50 horsepower.

(d) EXCEPTION FOR CALIFORNIA.—The prohibition in subsection (e) does not apply to or restrict in any way the authority granted to California under Section 209(e) of the Clean Air Act (42 U.S.C. 7543(e)).

(e) EXCEPTION FOR OTHER STATES.—The prohibition in subsection (c) does not apply to or restrict the authority of any state under Section 209(e)(2)(B) of the Clean Air Act (42 U.S.C.

7543(e)(2)(B)) to enforce standards or other requirements that were adopted by that state before September 1, 2003.

TITLE V—PESTICIDE PRODUCTS AND FEES

SEC. 501. PESTICIDE REGISTRATION.

(a) SHORT TITLE.—This section may be cited as the "Pesticide Registration Improvement Act of 2003".

(b) REGISTRATION REQUIREMENTS FOR ANTIMICROBIAL PESTICIDES.—Section 3(h) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(h)) is amended—

(1) in paragraph (2)(F), by striking "90 to 180 days" and inserting "120 days"; and

(2) in paragraph (3)—

(A) in subparagraph (D)(vi), by striking "240 days" and inserting "120 days"; and

(B) in subparagraph (F), by adding at the end the following:

"(iv) LIMITATION.—Notwithstanding clause (ii), the failure of the Administrator to notify an applicant for an amendment to a registration for an antimicrobial pesticide shall not be judicially reviewable in a Federal or State court if the amendment requires scientific review of data within—

"(I) the time period specified in subparagraph (D)(vi), in the absence of a final regulation under subparagraph (B); or

"(II) the time period specified in paragraph (2)(F), if adopted in a final regulation under subparagraph (B).".

(c) MAINTENANCE FEES.—

(1) AMOUNTS FOR REGISTRANTS.—Section 4(i)(5) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a–1(i)(5)) is amended—

(A) in subparagraph (A)—

(i) by striking "(A) Subject" and inserting the following:

"(A) IN GENERAL.—Subject"; and

(ii) by striking "of—" and all that follows through "additional registration" and inserting "for each registration";

(B) in subparagraph (D)—

(i) by striking "(D) The" and inserting the following:

"(D) MAXIMUM AMOUNT OF FEES FOR REGISTRANTS.—The";

(ii) in clause (i), by striking "shall be $55,000; and" and inserting "shall be—

"(I) for fiscal year 2004, $84,000;

"(II) for each of fiscal years 2005 and 2006, $87,000;

"(III) for fiscal year 2007, $68,000; and

"(IV) for fiscal year 2008, $55,000; and"; and

(iii) in clause (ii), by striking "shall be $95,000." and inserting "shall be—

"(I) for fiscal year 2004, $145,000;

"(II) for each of fiscal years 2005 and 2006, $151,000;

"(III) for fiscal year 2007, $117,000; and

"(IV) for fiscal year 2008, $95,000."; and

(C) in subparagraph (E)—

(i) by striking "(E)(i) For" and inserting the following:

"(E) MAXIMUM AMOUNT OF FEES FOR SMALL BUSINESSES.—

"(i) IN GENERAL.—For";

(ii) by indenting the margins of subclauses (I) and (II) of clause (i) appropriately; and

(iii) in clause (i)—

(I) subclause (I), by striking "shall be $38,500; and" and inserting "shall be—

"(aa) for fiscal year 2004, $59,000;

"(bb) for each of fiscal years 2005 and 2006, $61,000;

"(cc) for fiscal year 2007, $48,000; and

"(dd) for fiscal year 2008, $38,500; and"; and

(II) in subclause (II), by striking "shall be $66,500." and inserting "shall be—

"(aa) for fiscal year 2004, $102,000;

"(bb) for each of fiscal years 2005 and 2006, $106,000;

"(cc) for fiscal year 2007, $82,000; and

"(dd) for fiscal year 2008, $66,500.".

(2) TOTAL AMOUNT OF FEES.—Section 4(i)(5)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136(a)–1(i)(5)(C)) is amended—

(A) by striking "(C)(i) The" and inserting the following: "(C) TOTAL AMOUNT OF FEES.—The"; and

(B) by striking "aggregate amount" and all that follows through clause (ii) and inserting "aggregate amount of—

"(i) for fiscal year 2004, $26,000,000;

"(ii) for fiscal year 2005, $27,000,000;

"(iii) for fiscal year 2006, $27,000,000;

"(iv) for fiscal year 2007, $21,000,000; and

"(v) for fiscal year 2008, $15,000,000.".

(3) DEFINITION OF SMALL BUSINESS.—Section 4(i)(5)(E)(ii) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a–1(i)(5)(E)(ii)) is amended—

(A) by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and indenting the margins appropriately;

(B) by striking "(ii) For purposes of" and inserting the following:

"(ii) DEFINITION OF SMALL BUSINESS.—

"(I) IN GENERAL.—In";

(C) in item (aa) (as so redesignated), by striking "150" and inserting "500";

(D) in item (bb) (as so redesignated), by striking "gross revenue from chemicals that did not exceed $40,000,000."

and inserting "global gross revenue from pesticides that did not exceed $60,000,000."; and

(E) by adding at the end the following:

"(II) AFFILIATES.—

"(aa) IN GENERAL.—In the case of a business entity with 1 or more affiliates, the gross revenue limit under subclause (I)(bb) shall apply to the gross revenue for the entity and all of the affiliates of the entity, including parents and subsidiaries, if applicable.

"(bb) AFFILIATED PERSONS.—For the purpose of item (aa), persons are affiliates of each other if, directly or indirectly, either person controls or has the power to control the other person, or a third person controls or has the power to control both persons.

"(cc) INDICIA OF CONTROL.—For the purpose of item (aa), indicia of control include interlocking management or ownership, identity of interests among family members, shared facilities and equipment, and common use of employees.".

(4) EXTENSION OF AUTHORITY FOR COLLECTING MAINTENANCE FEES.—Section 4(i)(5)(H) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a–1(i)(5)(H)) is amended by striking "2003" and inserting "2008".

(5) REREGISTRATION AND OTHER ACTIVITIES.—Section 4(g)(2) of the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. 136a–1(g)(2)) is amended—

(A) by striking subparagraph (A) and inserting the following:

"(A) IN GENERAL.—The Administrator shall make a determination as to eligibility for reregistration—

"(i) for all active ingredients subject to reregistration under this section for which tolerances or exemptions from tolerances are required under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), not later than the last date for tolerance reassessment established under section 408(q)(1)(C) of that Act (21 U.S.C. 346a(q)(1)(C)); and

"(ii) for all other active ingredients subject to reregistration under this section, not later than October 3, 2008.";

(B) in subparagraph (B)—

(i) by striking "(B) Before" and inserting the following:

"(B) PRODUCT-SPECIFIC DATA.—

"(i) IN GENERAL.—Before";

(ii) by striking "The Administrator" and inserting the following:

"(ii) TIMING.—

"(I) IN GENERAL.—Subject to subclause (II), the Administrator"; and

(iii) by adding at the end the following:

"(II) EXTRAORDINARY CIRCUMSTANCES.—In the case of extraordinary circumstances, the Administrator may provide such a longer period, of not more than 2 additional years, for submission of data to the Administrator under this subparagraph."; and

(C) in subparagraph (D)—

(i) by striking "(D) If" and inserting the following: "(D) DETERMINATION TO NOT REREGISTER.—

"(i) IN GENERAL.—If"; and

(ii) by adding at the end the following:

"(ii) TIMING FOR REGULATORY ACTION.—Regulatory action under clause (i) shall be completed as expeditiously as possible.".

(d) OTHER FEES.—

(1) IN GENERAL.—Section 4(i)(6) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a–1(i)(6)) is amended—

(A) by striking "During" and inserting "Except as provided in section 33, during"; and

(B) by striking "2003" and inserting "2010".

(2) TOLERANCE FEES.—Notwithstanding section 408(m)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(1)), during the period beginning on October 1, 2003, and ending on September 30, 2008, the Administrator of the Environmental Protection Agency shall not collect any tolerance fees under that section.

(e) EXPEDITED PROCESSING OF SIMILAR APPLICATIONS.—Section 4(k)(3) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a–1(k)(3)) is amended—

(1) in the paragraph heading, by striking "EXPEDITED" and inserting "REVIEW OF INERT INGREDIENTS; EXPEDITED"; and

(2) in subparagraph (A)—

(A) by striking "1997" and all that follows through "of the maintenance fees" and inserting "2004 through 2006, approximately $3,300,000, and for each of fiscal years 2007 and 2008, between 1/8 and 1/7, of the maintenance fees";

(B) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II) and (III), respectively, and indenting appropriately; and

(C) by striking "resources to assure the expedited processing and review of any application that" and inserting "resources—

"(i) to review and evaluate new inert ingredients; and

"(ii) to ensure the expedited processing and review of any application that—".

(f) PESTICIDE REGISTRATION SERVICE FEES.—The Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a et seq.) is amended—

(1) by redesignating sections 33 and 34 (7 U.S.C. 136x, 136y) as sections 34 and 35, respectively; and

(2) by inserting after section 32 (7 U.S.C. 136w–7) the following:

"SEC. 33. PESTICIDE REGISTRATION SERVICE FEES.

"(a) DEFINITION OF COSTS.—In this section, the term 'costs', when used with respect to review and decisionmaking pertaining to an application for which registration service fees are paid under this section, means—

"(1) costs to the extent that—

"(A) officers and employees provide direct support for the review and decisionmaking for covered pesticide applications, associated tolerances, and corresponding risk and benefits information and analyses;

"(B) persons and organizations under contract with the Administrator engage in the review of the applications, and corresponding risk and benefits information and assessments; and

"(C) advisory committees and other accredited persons or organizations, on the request of the Administrator, engage in the peer review of risk or benefits information associated with covered pesticide applications;

"(2) costs of management of information, and the acquisition, maintenance, and repair of computer and telecommunication resources (including software), used to support review of pesticide applications, associated tolerances, and corresponding risk and benefits information and analyses; and

"(3) costs of collecting registration service fees under subsections (b) and (c) and reporting, auditing, and accounting under this section.

"(b) FEES.—

"(1) IN GENERAL.—Effective beginning on the effective date of the Pesticide Registration Improvement Act of 2003, the Administrator shall assess and collect covered pesticide registration service fees in accordance with this section.

"(2) COVERED PESTICIDE REGISTRATION APPLICATIONS.—

"(A) IN GENERAL.—An application for the registration of a pesticide covered by this Act that is received by the Administrator on or after the effective date of the Pesticide Registration Improvement Act of 2003 shall be subject to a registration service fee under this section.

"(B) EXISTING APPLICATIONS.—

"(i) IN GENERAL.—Subject to clause (ii), an application for the registration of a pesticide that was submitted to the Administrator before the effective date of the Pesticide Registration Improvement Act of 2003 and is pending on that effective date shall be subject to a service fee under this section if the application is for the registration of a new active ingredient that is not listed in the Registration Division 2003 Work Plan of the Office of Pesticide Programs of the Environmental Protection Agency.

"(ii) TOLERANCE OR EXEMPTION FEES.—The amount of any fee otherwise payable for an application described in clause (i) under this section shall be reduced by the amount of any fees paid to support the related petition for a pesticide tolerance or exemption under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

"(C) DOCUMENTATION.—An application subject to a registration service fee under this section shall be submitted with documentation certifying—

"(i) payment of the registration service fee; or

"(ii) a request for a waiver from or reduction of the registration service fee.

"(3) SCHEDULE OF COVERED APPLICATIONS AND REGISTRATION SERVICE FEES.—

"(A) IN GENERAL.—Not later than 30 days after the effective date of the Pesticide Registration Improvement Act of 2003, the Administrator shall publish in the Federal Register a schedule of covered pesticide registration applications and corresponding registration service fees.

"(B) REPORT.—Subject to paragraph (6), the schedule shall be the same as the applicable schedule appearing in the Congressional Record on pages S11631 through S11633, dated September 17, 2003.

"(4) PENDING PESTICIDE REGISTRATION APPLICATIONS.—

"(A) IN GENERAL.—An applicant that submitted a registration application to the Administrator before the effective date of the Pesticide Registration Improvement Act of 2003, but that is not required to pay a registration service fee under paragraph (2)(B), may, on a voluntary basis, pay a registration service fee in accordance with paragraph (2)(B).

"(B) VOLUNTARY FEE.—The Administrator may not compel payment of a registration service fee for an application described in subparagraph (A).

"(C) DOCUMENTATION.—An application for which a voluntary registration service fee is paid under this paragraph shall be submitted with documentation certifying—

"(i) payment of the registration service fee; or

"(ii) a request for a waiver from or reduction of the registration service fee.

"(5) RESUBMISSION OF PESTICIDE REGISTRATION APPLICATIONS.—If a pesticide registration application is submitted by a person that paid the fee for the application under paragraph (2), is determined by the Administrator to be complete, and is not approved or is withdrawn (without a waiver or refund), the submission of the same pesticide registration application by the same person (or a licensee, assignee, or successor of the person) shall not be subject to a fee under paragraph (2).

"(6) FEE ADJUSTMENT.—Effective for a covered pesticide registration application received on or after October 1, 2005, the Administrator shall—

"(A) increase by 5 percent the service fee payable for the application under paragraph (3); and

"(B) publish in the Federal Register the revised registration service fee schedule.

"(7) WAIVERS AND REDUCTIONS.—

"(A) IN GENERAL.—An applicant for a covered pesticide registration may request the Administrator to waive or reduce the amount of a registration service fee payable under this section under the circumstances described in subparagraphs (D) through (G).

"(B) DOCUMENTATION.—

"(i) IN GENERAL.—A request for a waiver from or reduction of the registration service fee shall be accompanied by appropriate documentation demonstrating the basis for the waiver or reduction.

"(ii) CERTIFICATION.—The applicant shall provide to the Administrator a written certification, signed by a responsible officer, that the documentation submitted to support the waiver or reduction request is accurate.

"(iii) INACCURATE DOCUMENTATION.—An application shall be subject to the applicable registration service fee payable under paragraph (3) if, at any time, the Administrator determines that—

"(I) the documentation supporting the waiver or reduction request is not accurate; or

"(II) based on the documentation or any other information, the waiver or reduction should not have been granted or should not be granted.

"(C) DETERMINATION TO GRANT OR DENY REQUEST.—As soon as practicable, but not later than 60 days, after the date on which the Administrator receives a request for a waiver or reduction of a registration service fee under this paragraph, the Administrator shall—

"(i) determine whether to grant or deny the request; and

"(ii) notify the applicant of the determination.

"(D) MINOR USES.—

"(i) IN GENERAL.—The Administrator may waive or reduce a registration service fee for an application for minor uses for a pesticide.

"(ii) SUPPORTING DOCUMENTATION.—An applicant requesting a waiver under this subparagraph shall provide supporting documentation that demonstrates, to the satisfaction of the Administrator, that anticipated revenues from the uses that are the subject of the application would be insufficient to justify imposition of the full application fee.

"(E) IR–4 WAIVER.—The Administrator shall waive the registration service fee for an application if the Administrator determines that—

"(i) the application is solely associated with a tolerance petition submitted in connection with the Inter-Regional Project Number 4 (IR–4) as described in section 2 of Public Law 89–106 (7 U.S.C. 450i(e)); and

"(ii) the waiver is in the public interest.

"(F) SMALL BUSINESSES.—

"(i) IN GENERAL.—The Administrator shall waive 50 percent of the registration service fees payable by an entity for a covered pesticide registration application under this section if the entity is a small business (as defined in section 4(i)(5)(E)(ii)) at the time of application.

"(ii) WAIVER OF FEES.—The Administrator shall waive all of the registration service fees payable by an entity under this section if the entity—

"(I) is a small business (as defined in section 4(i)(5)(E)(ii)) at the time of application; and

"(II) has average annual global gross revenues described in section 4(i)(5)(E)(ii)(I)(bb) that does not exceed $10,000,000, at the time of application.

"(iii) FORMATION FOR WAIVER.—The Administrator shall not grant a waiver under this subparagraph if the Administrator determines that the entity submitting the application has been formed or manipulated primarily for the purpose of qualifying for the waiver.

"(iv) DOCUMENTATION.—An entity requesting a waiver under this subparagraph shall provide to the Administrator—

"(I) documentation demonstrating that the entity is a small business (as defined in section 4(i)(5)(E)(ii)) at the time of application; and

"(II) if the entity is requesting a waiver of all registration service fees payable under this section, documentation demonstrating that the entity has an average annual global gross revenues described in section 4(i)(5)(E)(ii)(I)(bb) that does not exceed $10,000,000, at the time of application.

"(G) FEDERAL AND STATE AGENCY EXEMPTIONS.—An agency of the Federal Government or a State government shall be exempt from covered registration service fees under this section.

"(8) REFUNDS.—

"(A) EARLY WITHDRAWALS.—If, during the first 60 days after the beginning of the applicable decision time review period under subsection (f)(3), a covered pesticide registration application is withdrawn by the applicant, the Administrator shall refund all but 10 percent of the total registration service fee payable under paragraph (3) for the application.

"(B) WITHDRAWALS AFTER THE FIRST 60 DAYS OF DECISION REVIEW TIME PERIOD.—

"(i) IN GENERAL.—If a covered pesticide registration application is withdrawn after the first 60 days of the applicable decision time review period, the Administrator shall determine what portion, if any, of the total registration service fee payable under paragraph (3) for the application may be refunded based on the proportion of the work completed at the time of withdrawal.

"(ii) TIMING.—The Administrator shall—

"(I) make the determination described in clause (i) not later than 90 days after the date the application is withdrawn; and

"(II) provide any refund as soon as practicable after the determination.

"(C) DISCRETIONARY REFUNDS.—

"(i) IN GENERAL.—In the case of a pesticide registration application that has been filed with the Administrator and has not been withdrawn by the applicant, but for which the Administrator has not yet made

a final determination, the Administrator may refund a portion of a covered registration service fee if the Administrator determines that the refund is justified.

"(ii) BASIS.—The Administrator may provide a refund for an application under this subparagraph—

"(I) on the basis that, in reviewing the application, the Administrator has considered data submitted in support of another pesticide registration application; or

"(II) on the basis that the Administrator completed portions of the review of the application before the effective date of this section.

"(D) CREDITED FEES.—In determining whether to grant a refund under this paragraph, the Administrator shall take into account any portion of the registration service fees credited under paragraph (2) or (4).

"(c) PESTICIDE REGISTRATION FUND.—

"(1) ESTABLISHMENT.—There is established in the Treasury of the United States a Pesticide Registration Fund to be used in carrying out this section (referred to in this section as the 'Fund'), consisting of—

"(A) such amounts as are deposited in the Fund under paragraph (2);

"(B) any interest earned on investment of amounts in the Fund under paragraph (4); and

"(C) any proceeds from the sale or redemption of investments held in the Fund.

"(2) DEPOSITS IN FUND.—Subject to paragraph (4), the Administrator shall deposit fees collected under this section in the Fund.

"(3) EXPENDITURES FROM FUND.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C) and paragraph (4), the Administrator may make expenditures from the Fund—

"(i) to cover the costs associated with the review and decisionmaking pertaining to all applications for which registration service fees have been paid under this section; and

"(ii) to otherwise carry out this section.

"(B) WORKER PROTECTION.—For each of fiscal years 2004 through 2008, the Administrator shall use approximately 1/17 of the amount in the Fund (but not more than $1,000,000, and not less than $750,000, for any fiscal year) to enhance current scientific and regulatory activities related to worker protection.

"(C) NEW INERT INGREDIENTS.—For each of fiscal years 2004 and 2005, the Administrator shall use approximately 1/34 of the amount in the Fund (but not to exceed $500,000 for any fiscal year) for the review and evaluation of new inert ingredients.

"(4) COLLECTIONS AND APPROPRIATIONS ACTS.—The fees authorized by this section and amounts deposited in the Fund—

"(A) shall be collected and made available for obligation only to the extent provided in advance in appropriations Acts; and

"(B) shall be available without fiscal year limitation.

"(5) UNUSED FUNDS.—Amounts in the Fund not currently needed to carry out this section shall be—

"(A) maintained readily available or on deposit;

"(B) invested in obligations of the United States or guaranteed by the United States; or

"(C) invested in obligations, participations, or other instruments that are lawful investments for fiduciary, trust, or public funds.

"(d) ASSESSMENT OF FEES.—

"(1) DEFINITION OF COVERED FUNCTIONS.—In this subsection, the term 'covered functions' means functions of the Office of Pesticide Programs of the Environmental Protection Agency, as identified in key programs and projects of the final operating plan for the Environmental Protection Agency submitted as part of the budget process for fiscal year 2002, regardless of any subsequent transfer of 1 or more of the functions to another office or agency or the subsequent transfer of a new function to the Office of Pesticide Programs.

"(2) MINIMUM AMOUNT OF APPROPRIATIONS.—For fiscal years 2004, 2005, and 2006 only, registration service fees may not be assessed for a fiscal year under this section unless the amount of appropriations for salaries, contracts, and expenses for the functions (as in existence in fiscal year 2002) of the Office of Pesticide Programs of the Environmental Protection Agency for the fiscal year (excluding the amount of any fees appropriated for the fiscal year) are equal to or greater than the amount of appropriations for covered functions for fiscal year 2002 (excluding the amount of any fees appropriated for the fiscal year).

"(3) USE OF FEES.—Registration service fees authorized by this section shall be available, in the aggregate, only to defray increases in the costs associated with the review and decision-making for the review of pesticide registration applications and associated tolerances (including increases in the number of full-time equivalent positions in the Environmental Protection Agency engaged in those activities) over the costs for fiscal year 2002, excluding costs paid from fees appropriated for the fiscal year.

"(4) COMPLIANCE.—The requirements of paragraph (2) shall have been considered to have been met for any fiscal year if the amount of appropriations for salaries, contracts, and expenses for the functions (as in existence in fiscal year 2002) of the Office of Pesticide Programs of the Environmental Protection Agency for the fiscal year (excluding the amount of any fees appropriated for the fiscal year) is not more than 3 percent below the amount of appropriations for covered functions for fiscal year 2002 (excluding the amount of any fees appropriated for the fiscal year).

"(5) SUBSEQUENT AUTHORITY.—If the Administrator does not assess registration service fees under subsection (b) during any portion of a fiscal year as the result of paragraph (2) and is subsequently permitted to assess the fees under subsection (b) during the fiscal year, the Administrator shall assess and collect the fees, without any modification in rate, at any time dur-

ing the fiscal year, notwithstanding any provisions of subsection (b) relating to the date fees are to be paid.

"(e) REFORMS TO REDUCE DECISION TIME REVIEW PERIODS.—To the maximum extent practicable consistent with the degrees of risk presented by pesticides and the type of review appropriate to evaluate risks, the Administrator shall identify and evaluate reforms to the pesticide registration process under this Act with the goal of reducing decision review periods in effect on the effective date of the Pesticide Registration Improvement Act of 2003 for pesticide registration actions for covered pesticide registration applications (including reduced risk applications).

"(f) DECISION TIME REVIEW PERIODS.—

"(1) IN GENERAL.—Not later than 30 days after the effective date of the Pesticide Registration Improvement Act of 2003, the Administrator shall publish in the Federal Register a schedule of decision review periods for covered pesticide registration actions and corresponding registration service fees under this Act.

"(2) REPORT.—The schedule shall be the same as the applicable schedule appearing in the Congressional Record on pages S11631 through S11633, dated September 17, 2003.

"(3) APPLICATIONS SUBJECT TO DECISION TIME REVIEW PERIODS.—The decision time review periods specified in paragraph (1) shall apply to—

"(A) covered pesticide registration applications subject to registration service fees under subsection (b)(2);

"(B) covered pesticide registration applications for which an applicant has voluntarily paid registration service fees under subsection (b)(4); and

"(C) covered pesticide registration applications listed in the Registration Division 2003 Work Plan of the Office of Pesticide Programs of the Environmental Protection Agency.

"(4) START OF DECISION TIME REVIEW PERIOD.—

"(A) IN GENERAL.—Except as provided in subparagraphs (C), (D), and (E), in the case of a pesticide registration application accompanied by the registration service fee required under this section, the decision time review period begins 21 days after the date on which the Administrator receives the covered pesticide registration application.

"(B) COMPLETENESS OF APPLICATION.—In conducting an initial screening of an application, the Administrator shall determine—

"(i) whether—

"(I) the applicable registration service fee has been paid; or

"(II) the application contains a waiver or refund request; and

"(ii) whether the application—

"(I) contains all necessary forms, data, draft labeling, and, documentation certifying payment of any registration service fee required under this section; or

"(II) establishes a basis for any requested waiver or reduction.

"(C) APPLICATIONS WITH WAIVER OR REDUCTION REQUESTS.—

"(i) IN GENERAL.—In the case of an application submitted with a request for a waiver or reduction of registration service fees under subsection (b)(7), the decision time review period shall be determined in accordance with this subparagraph.

"(ii) REQUEST GRANTED WITH NO ADDITIONAL FEES REQUIRED.—If the Administrator grants the waiver or reduction request and no additional fee is required, the decision time review period begins on the earlier of—

"(I) the date on which the Administrator grants the request; or

"(II) the date that is 60 days after the date of receipt of the application.

"(iii) REQUEST GRANTED WITH ADDITIONAL FEES REQUIRED.—If the Administrator grants the waiver or reduction request, in whole or in part, but an additional registration service fee is required, the decision time review period begins on the date on which the Administrator receives certification of payment of the applicable registration service fee.

"(iv) REQUEST DENIED.—If the Administrator denies the waiver or reduction request, the decision time review period begins on the date on which the Administrator receives certification of payment of the applicable registration service fee.

"(D) PENDING APPLICATIONS.—

"(i) IN GENERAL.—The start of the decision time review period for applications described in clause (ii) shall be the date on which the Administrator receives certification of payment of the applicable registration service fee.

"(ii) APPLICATIONS.—Clause (i) applies to—

"(I) covered pesticide registration applications for which voluntary fees have been paid under subsection (b)(4); and

"(II) covered pesticide registration applications received on or after the effective date of the Pesticide Registration Improvement Act of 2003 but submitted without the applicable registration service fee required under this section due to the inability of the Administrator to assess fees under subsection (d)(1).

"(E) 2003 WORK PLAN.—In the case of a covered pesticide registration application listed in the Registration Division 2003 Work Plan of the Office of Pesticide Programs of the Environmental Protection Agency, the decision time review period begins on the date that is 30 days after the effective date of the Pesticide Registration Improvement Act of 2003.

"(5) EXTENSION OF DECISION TIME REVIEW PERIOD.—The Administrator and the applicant may mutually agree in writing to extend a decision time review period under this subsection.

"(g) JUDICIAL REVIEW.—

"(1) IN GENERAL.—Any applicant adversely affected by the failure of the Administrator to make a determination on the application of the applicant for registration of a new active ingredient or new use for which a registration service fee is paid under this section may obtain judicial review of the failure solely under this section.

"(2) SCOPE.—

"(A) IN GENERAL.—In an action brought under this subsection, the only issue on review is whether the Administrator failed to make a determination on the application specified in paragraph (1) by the end of the applicable decision time review period required under subsection (f) for the application.

"(B) OTHER ACTIONS.—No other action authorized or required under this section shall be judicially reviewable by a Federal or State court.

"(3) TIMING.—

"(A) IN GENERAL.—A person may not obtain judicial review of the failure of the Administrator to make a determination on the application specified in paragraph (1) before the expiration of the 2-year period that begins on the date on which the decision time review period for the application ends.

"(B) MEETING WITH ADMINISTRATOR.—To be eligible to seek judicial review under this subsection, a person seeking the review shall first request in writing, at least 120 days before filing the complaint for judicial review, a decision review meeting with the Administrator.

"(4) REMEDIES.—The Administrator may not be required or permitted to refund any portion of a registration service fee paid in response to a complaint that the Administrator has failed to make a determination on the covered pesticide registration application specified in paragraph (1) by the end of the applicable decision review period.

"(h) ACCOUNTING.—The Administrator shall—

"(1) provide an annual accounting of the registration service fees paid to the Administrator and disbursed from the Fund, by providing financial statements in accordance with—

"(A) the Chief Financial Officers Act of 1990 (Public Law 101–576; 104 Stat. 2838) and amendments made by that Act; and

"(B) the Government Management Reform Act of 1994 (Public Law 103–356; 108 Stat. 3410) and amendments made by that Act;

"(2) provide an accounting describing expenditures from the Fund authorized under subsection (c); and

"(3) provide an annual accounting describing collections and expenditures authorized under subsection (d).

"(i) AUDITING.—

"(1) FINANCIAL STATEMENTS OF AGENCIES.—For the purpose of section 3515(c) of title 31, United States Code, the Fund shall be considered a component of an executive agency.

"(2) COMPONENTS.—The annual audit required under sections 3515(b) and 3521 of that title of the financial statements of activities under this section shall include an analysis of—

"(A) the fees collected under subsection (b) and disbursed;

"(B) compliance with subsection (f);

"(C) the amount appropriated to meet the requirements of subsection (d)(1); and

"(D) the reasonableness of the allocation of the overhead allocation of costs associated with the review and decisionmaking pertaining to applications under this section.

"(3) INSPECTOR GENERAL.—The Inspector General of the Environmental Protection Agency shall—

"(A) conduct the annual audit required under this subsection; and

"(B) report the findings and recommendations of the audit to the Administrator and to the appropriate committees of Congress.

"(j) PERSONNEL LEVELS.—All full-time equivalent positions supported by fees authorized and collected under this section shall not be counted against the agency-wide personnel level goals of the Environmental Protection Agency.

"(k) REPORTS.—

"(1) IN GENERAL.—Not later than March 1, 2005, and each March 1 thereafter through March 1, 2009, the Administrator shall publish an annual report describing actions taken under this section.

"(2) CONTENTS.—The report shall include—

"(A) a review of the progress made in carrying out each requirement of subsections (e) and (f), including—

"(i) the number of applications reviewed, including the decision times for each application specified in subsection (f);

"(ii) the number of actions pending in each category of actions described in subsection (f)(3), as well as the number of inert ingredients;

"(iii) to the extent determined appropriate by the Administrator and consistent with the authorities of the Administrator and limitations on delegation of functions by the Administrator, recommendations for—

"(I) expanding the use of self-certification in all appropriate areas of the registration process;

"(II) providing for accreditation of outside reviewers and the use of outside reviewers to conduct the review of major portions of applications; and

"(III) reviewing the scope of use of the notification process to cover broader categories of registration actions; and

"(iv) the use of performance-based contracts, other contracts, and procurement to ensure that—

"(I) the goals of this Act for the timely review of applications for registration are met; and

"(II) the registration program is administered in the most productive and cost effective manner practicable;

"(B) a description of the staffing and resources relating to the costs associated with the review and decisionmaking pertaining to applications; and

"(C) a review of the progress in meeting the timeline requirements of section 4(g).

"(3) METHOD.—The Administrator shall publish a report required by this subsection by such method as the Administrator determines to be the most effective for efficiently disseminating the report, including publication of the report on the Internet site of the Environmental Protection Agency.

"(l) SAVINGS CLAUSE.—Nothing in this section affects any other duties, obligations, or authorities established by any other section of this Act, including the right to judicial review of duties, obligations, or authorities established by any other section of this Act.

"(m) TERMINATION OF EFFECTIVENESS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the authority provided by this section terminates on September 30, 2008.

"(2) PHASE OUT.—

"(A) FISCAL YEAR 2009.—During fiscal year 2009, the requirement to pay and collect registration service fees applies, except that the level of registration service fees payable under this section shall be reduced 40 percent below the level in effect on September 30, 2008.

"(B) FISCAL YEAR 2010.—During fiscal year 2010, the requirement to pay and collect registration service fees applies, except that the level of registration service fees payable under this section shall be reduced 70 percent below the level in effect on September 30, 2008.

"(C) SEPTEMBER 30, 2010.—Effective September 30, 2010, the requirement to pay and collect registration service fees terminates.

"(D) DECISION REVIEW PERIODS.—

"(i) PENDING APPLICATIONS.—In the case of an application received under this section before September 30, 2008, the application shall be reviewed in accordance with subsection (f).

"(ii) NEW APPLICATIONS.—In the case of an application received under this section on or after September 30, 2008, subsection (f) shall not apply to the application.".

(g) CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. prec. 136) is amended—

(1) by striking the item relating to section 4(k)(3) and inserting the following:

"(3) Review of inert ingredients; expedited processing of similar applications.";

and

(2) by striking the items relating to sections 30 and 31 and inserting the following:

"Sec. 30. Minimum requirements for training of maintenance applicators and service technicians.
"Sec. 31. Environmental Protection Agency minor use program.
"Sec. 32. Department of Agriculture minor use program.
"(a) In general.
"(b)(1) Minor use pesticide data.
"(2) Minor Use Pesticide Data Revolving Fund.
"Sec. 33. Pesticide registration service fees.

"(a) Definition of costs.
"(b) Fees.
"(1) In general.
"(2) Covered pesticide registration applications.
"(3) Schedule of covered applications and registration service fees.
"(4) Pending pesticide registration applications.
"(5) Resubmission of pesticide registration applications.
"(6) Fee adjustment.
"(7) Waivers and reductions.
"(8) Refunds.
"(c) Pesticide Registration Fund.
"(1) Establishment.
"(2) Transfers to Fund.
"(3) Expenditures from Fund.
"(4) Collections and appropriations Acts.
"(5) Unused funds.
"(d) Assessment of fees.
"(1) Definition of covered functions.
"(2) Minimum amount of appropriations.
"(3) Use of fees.
"(4) Compliance.
"(5) Subsequent authority.
"(e) Reforms to reduce decision time review periods.
"(f) Decision time review periods.
"(1) In general.
"(2) Report.
"(3) Applications subject to decision time review periods.
"(4) Start of decision time review period.
"(5) Extension of decision time review period.
"(g) Judicial review.
"(1) In general.
"(2) Scope.
"(3) Timing.
"(4) Remedies.
"(h) Accounting.
"(i) Auditing.
"(1) Financial statements of agencies.
"(2) Components.
"(3) Inspector General.
"(j) Personnel levels.
"(k) Reports.
"(1) In general.
"(2) Contents.
"(l) Savings clause.
"(m) Termination of effectiveness.
"(1) In general.
"(2) Phase out.
"Sec. 34. Severability.
"Sec. 35. Authorization for appropriations.".

(h) EFFECTIVE DATE.—Except as otherwise provided in this section and the amendments made by this section, this section and the amendments made by this section take effect on the date that is 60 days after the date of enactment of this Act.

This division may be cited as the "Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004".

DIVISION H—MISCELLANEOUS APPROPRIATIONS AND OFFSETS

(INCLUDING RESCISSIONS OF FUNDS)

(INCLUDING TRANSFERS OF FUNDS)

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2004, and for other purposes, namely:

SEC. 101. Section 1241(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(3)) is amended by striking ", using" and all that follows through "2013".

SEC. 102. (a) Of the funds appropriated under the heading "Emergency Preparedness and Response, Disaster Relief" in chapter 2 of title I of Public Law 108–106, $225,000,000 are rescinded.

(b) In addition to amounts appropriated in Public Law 108–108 for "Forest Service, Wildland Fire Management" for hazardous fuels reduction, hazard mitigation, and rehabilitation activities of the Forest Service in southern California, $25,000,000, to remain available until expended.

(c) In addition to amounts appropriated in Public Law 108–108 for "Forest Service, State and Private Forestry" for hazard mitigation, fuels reduction, and forest health protection and mitigation activities on State and private lands in southern California, $25,000,000, to remain available until expended.

(d) In addition to amounts made available elsewhere in this Act for the "Department of Agriculture, Emergency Watershed Protection Program" to carry out additional activities in response to the recent wildfires in southern California, including the provision of technical and financial assistance to respond to the tree mortality emergency in Los Angeles, Riverside, San Diego and San Bernardino Counties, California, $150,000,000, to remain available until expended.

(e) For an additional amount for the tree assistance program in southern California under subtitle C of title X of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.), $12,500,000.

(f) For an additional amount for the emergency conservation program in southern California under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.), $12,000,000.

(g) For an additional amount for the livestock indemnity program in southern California under the heading "COMMODITY CREDIT CORPORATION FUND" in chapter 1 of title I of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat. 59), $500,000.

(h) The amounts provided or made available by this section are designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 103. In addition to amounts otherwise made available in this Act, for "Office of Justice Programs—State and Local Law Enforcement Assistance" for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs for reimbursement to State and local law enforcement entities for security and related costs, including overtime, associated with

the 2004 Presidential Candidate Nominating Conventions, $50,000,000, to remain available until September 30, 2005.

SEC. 104. (a) COMMISSION ON THE ABRAHAM LINCOLN STUDY ABROAD FELLOWSHIP PROGRAM.—There are appropriated, out of any money in the Treasury not otherwise appropriated, $500,000 to establish and fund a bipartisan Commission on the Abraham Lincoln Study Abroad Fellowship Program (in this section referred to as the "Commission").

(b) RECOMMENDATIONS AND DEVELOPMENT OF PROGRAM.—

(1) RECOMMENDATIONS.—The Commission shall recommend a program to greatly expand the opportunity for students at institutions of higher education in the United States to study abroad, with special emphasis on studying in developing nations.

(2) DEVELOPMENT OF PROGRAM.—The Secretary of State, the Secretary of Education, the Secretary of Commerce, and the Secretary of Defense, in consultation with the Commission, shall develop a program, described in paragraph (1), that assists a diverse group of students and meets the growing need of the United States to become more sensitive to the cultures of other countries.

(c) COMPOSITION.—

(1) IN GENERAL.—The Commission shall consist of 17 members to be appointed as follows:

(A) Three members shall be appointed by the Majority Leader of the Senate.

(B) Three members shall be appointed by the Minority Leader of the Senate.

(C) Three members shall be appointed by the Speaker of the House of Representatives.

(D) Three members shall be appointed by the Minority Leader of the House of Representatives.

(E) One member shall be appointed by the President from a list of candidates submitted by the Secretary of State.

(F) One member shall be appointed by the President from a list of candidates submitted by the Secretary of Defense.

(G) One member shall be appointed by the President from a list of candidates submitted by the Secretary of Education.

(H) One member shall be appointed by the President from a list of candidates submitted by the Secretary of Commerce.

(I) One member shall be appointed jointly by the individuals described in subparagraphs (A) through (D), and such member shall serve as Chair of the Commission.

(2) TYPES OF INDIVIDUALS.—The Commission may consist of members who are leaders in university exchange programs, leaders in foreign policy, and business leaders with experience in international trade.

(d) EXECUTIVE DIRECTOR AND STAFF.—

(1) APPOINTMENT OF EXECUTIVE DIRECTOR.—The Chair of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director of

the Commission. The employment of an executive director shall be subject to confirmation by the Commission. The Chair of the Commission may fix the compensation of the executive director without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(2) STAFF.—The executive director may appoint not more than 3 individuals to assist the executive director in carrying out the duties of the executive director. The Chair of the Commission may fix the compensation of the individuals appointed by the executive director without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for such individuals may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(e) COMPENSATION.—Members of the Commission shall not receive compensation for the performance of services for the Commission, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(f) REPORT.—Not later than December 1, 2004, the Commission shall submit a report to the appropriate committee of Congress and the President on recommendations for a program to greatly expand the opportunity for students at institutions of higher education in the United States to study abroad.

(g) TERMINATION.—The Commission shall terminate not later than December 31, 2004.

SEC. 105. (a) None of the funds made available under this Act may be obligated or expended to implement any measures to reduce overfishing and promote rebuilding of fish stocks managed under the Management Plan other than such measures set out in the final rule.

(b) In this section:

(1) The term "final rule" means the final rule of the National Oceanic and Atmospheric Administration relating to the Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery that was published on June 27, 2003 (68 Fed. Reg. 38234).

(2) The term "Management Plan" means the Northeast Multispecies Fishery Management Plan prepared pursuant to section 303 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853).

SEC. 106. In addition to amounts otherwise made available in this Act, for "Supreme Court of the United States, Care of the Building and Grounds", $16,000,000, to remain available until expended.

SEC. 107. For an additional amount under the heading "State and Local Law Enforcement Assistance, Office of Justice Programs", $2,250,000, of which $750,000 shall only be available for the Uni-

versity of Southern Mississippi Rural Law Enforcement Training Initiative, $750,000 shall only be available for the Mississippi University for Women Institutional Security Program, and $750,000 shall only be available for the City of Jackson, Mississippi, Public Safety Automated Technologies Program.

SEC. 108. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: Provided, That funds so transferred shall be merged with and shall be available for the same purpose and for the same time period as the appropriation to which transferred: Provided further, That the amounts shall be transferred between the following appropriations in the amounts specified:

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1998/2007":

CVN Refuelings, $29,000,000;

Under the heading, "Shipbuilding and Conversion, Navy, 2003/2007":

Outfitting, post delivery, conversions, and first destination transportation, $8,000,000;

Under the heading, "Shipbuilding and Conversion, Navy, 2004/2008":

Outfitting, post delivery, conversions, and first destination transportation, $11,800,000;

CVN Refuelings (AP), $16,600,000;

Under the heading, "Research, Development, Test and Evaluation, Navy, 2004/2005", $9,200,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 2004/2008":

NSSN (AP), $37,200,000;

NSSN, $11,800,000;

Under the heading, "Shipbuilding and Conversion, Navy, 2002/2006":

SSN Submarine Refuelings, $19,600,000; and

Under the heading, "Defense Health Program", $6,000,000.

SEC. 109. Effective immediately after the enactment of the National Defense Authorization Act for Fiscal Year 2004, section 724(d)(2) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) is amended—

(1) in subparagraph (A)—

(A) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively; and

(B) by inserting after "who—" the following new clause (i):

"(i) do not have other primary health insurance coverage (other than Medicare coverage) covering basic primary care and inpatient and outpatient services;"; and

(2) by striking subparagraph (B) and inserting the following:

"(B) For each fiscal year beginning after September 30, 2003, the number of covered beneficiaries newly enrolled by designated providers pursuant to clause (ii) of subparagraph (A) during such fiscal year may not exceed 10 percent of the total number of the cov-

ered beneficiaries who are newly enrolled under such subparagraph during such fiscal year.".

SEC. 110. Section 853 of the National Defense Authorization Act for Fiscal Year 2004 is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following new subsection (c):

"(c) CREDIT TOWARD CERTAIN SMALL BUSINESS CONTRACTING GOALS.—Department of Defense contracts entered into with eligible contractors under the demonstration project under this section, and subcontracts entered into with eligible contractors under such contracts, shall be credited toward the attainment of goals established under section 2323 of title 10, United States Code, and section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1)) regarding the extent of the participation of disadvantaged small business concerns in contracts of the Department of Defense and subcontracts under such contracts.".

SEC. 111. Section 8022 of the Department of Defense Appropriations Act, 2004, Public Law 108–87, shall not apply to a cost study of a multi-function activity for which the Department of Defense had solicited proposals as of the date of the enactment of that Act.

SEC. 112. Of the amounts made available to the Department of Defense under the heading "Defense Health Program" for "Procurement", $3,100,000 shall be made available to acquire Linear Accelerator Radiation Therapy equipment and associated operating software for Walter Reed Army Medical Center: Provided, That of the amounts available to the Department of Defense under the heading "Defense Health Program" for "Operation and Maintenance, In-House Care", $2,900,000 shall be made available for the Defense and Veterans Head Injury Program: Provided further, That these funds are in addition to funds provided in previous Acts.

SEC. 113. (a) The Secretary of Defense shall study issues related to the consolidation of the storage of mercury contained in the National Defense Stockpile under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.) and report to Congress on June 1, 2004, on the results of the study.

(b) A decision to consolidate the storage of mercury to a site that currently does not store mercury contained in the National Defense Stockpile under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.) shall occur no earlier than 180 days after the date of the report required in subsection (a).

SEC. 114. Notwithstanding any other provision of law, the Secretary of Defense may transfer up to $120,000,000 of funds available in the Iraq Freedom Fund to carry out the classified project described in the classified annex accompanying Public Law 107–206, and acquire such interests in real property as he deems necessary to carry out such project: Provided, That the Secretary may transfer such funds to other appropriation accounts of the Department, and the amounts so transferred shall be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense.

SEC. 115. Of the amounts provided in Public Laws 107–117, 107–248, and 108–87 under the heading "National Defense Sealift

Fund" for construction of additional sealift capacity, $40,000,000 shall be made available for the construction of a Port of Philadelphia marine cargo terminal for high-speed military sealift and other military purposes.

SEC. 116. (a) DESIGNATION.—The Department of Veterans Affairs medical center in St. Petersburg, Florida, shall, after the end of the service of C. W. Bill Young as a Member of Congress be known as the "C. W. Bill Young Department of Veterans Affairs Medical Center".

(b) REFRENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to such medical center referred to in subsection (a) shall be deemed to be a reference to the "C. W. Bill Young Department of Veterans Affairs Medical Center".

SEC. 117. Of the funds provided in Public Law 108–7, under the heading of "Department of Defense—Civil", "Department of the Army", "Corps of Engineers—Civil", "Construction, General", the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the construction of the False Pass, Alaska, project, in accordance with the Report of the Chief of Engineers, dated December 29, 2000.

SEC. 118. The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized and directed to design the Central Riverfront Park project on the Ohio Riverfront in Cincinnati, Ohio, as described in the Central Riverfront Park Master Plan performed by the City of Cincinnati, dated December 1999, and the Section 905(b) analysis, performed by the Louisville District of the Corps of Engineers, dated August 2002. The cost of project work undertaken by the non-Federal interests, including but not limited to prior and current planning and design, shall be credited toward the non-Federal share of design costs.

SEC. 119. The Secretary of the Army, acting through the Chief of Engineers, is directed to use any remaining available funds from funds appropriated in Public Law 101–101 for the Hamlet City Lake, North Carolina, project to provide assistance in carrying out any authorized water-related infrastructure projects in Richmond County, North Carolina.

SEC. 120. The Secretary of the Army, acting through the Chief of Engineers, is directed to snag and clear existing debris including trees in Deep River, near Lake Station, Indiana, under Section 208 of the Flood Control Act of 1954, as amended.

SEC. 121. Section 117, subsection (4), of the Energy and Water Development Appropriations Act, 2004, is amended to read as follows:

> *"(4) in subsection (h), by striking '2001—' and all that follows and inserting '2001—$100,000,000 for Rural Nevada, and $25,000,000 for each of Idaho, Montana, New Mexico, and rural Utah, to remain available until expended.'.".*

SEC. 122. The Secretary of the Army, acting through the Chief of Engineers, is directed to use any remaining available funds from funds appropriated and made available in Public Law 103–316 for construction of the Savannah Harbor Deepening Project, Savannah, Georgia, for the Savannah Harbor Expansion Project, Savannah, Georgia.

SEC. 123. The Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the construction of the Columbia River Channel Improvements, Oregon and Washington, project in accordance with the Report of the Chief of Engineers, dated December 23, 1999, and the economic justification and environmental features stated therein, as amended by the Final Supplemental Environmental Impact Statement dated January 28, 2003.

SEC. 124. The Secretary of the Army, acting through the Chief of Engineers, is directed to use previously appropriated funds to proceed with design and initiate construction to complete the Stillwater, Minnesota, Levee and Flood Control project.

SEC. 125. Of the funds made available in the Energy and Water Development Appropriations Act, 2004, to the Western Area Power Administration, up to $166,100,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to the "Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration" account as offsetting collections.

SEC. 126. Of the funds provided for the development of the new molecular imaging probes in the statement of managers to accompany H.R. 2754, $5,000,000 shall be provided to the University of California, Los Angeles for the continued efforts for PET imaging, systems biology and nanotechnology.

SEC. 127. Funds appropriated in this, or any other Act hereafter, may not be obligated to pay, on behalf of the United States or a contractor or subcontractor of the United States, to post a bond or fulfill any other financial responsibility requirement relating to closure or post-closure care and monitoring of Sandia National Laboratories and properties held or managed by Sandia National Laboratories prior to implementation of closure or post-closure monitoring. The State of New Mexico or any other entity may not enforce against the United States or a contractor or subcontractor of the United States, in this year or any other fiscal year, a requirement to post bond or any other financial responsibility requirement relating to closure or post-closure care and monitoring of Sandia National Laboratories in New Mexico and properties held or managed by Sandia National Laboratories in New Mexico.

SEC. 128. TREATMENT OF CERTAIN WASTE MATERIALS. (a) IN GENERAL.—Notwithstanding any other provision of law, the federal commission with the authority to regulate the material designated as "11e.(2) by-product material" by section 312 of the Energy and Water Development Appropriations Act, 2004, or by section 634 of the Energy Policy Act of 2003, shall not allow or otherwise permit any facility to receive or dispose of such material if the facility is located in a state that has an application pending under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021) to regulate the 11e.(2) material covered under this section.

(b) SUNSET.—Subsection (a) ceases to be effective January 1, 2005.

SEC. 129. In the conference report accompanying H.R. 6, the Energy Policy Act, in Section 1512, subsection b strike "University of Mississippi and the University of Oklahoma" and insert in lieu thereof "Mississippi State University and Oklahoma State University".

SEC. 130. DEPARTMENT OF ENERGY, ENERGY PROGRAMS, SCIENCE. For an additional amount for "Science", $50,000,000, to remain available until expended, is provided for the Coralville, Iowa, project, which is to utilize alternative renewable energy sources.

SEC. 131. For an additional amount for the "Science" account of the Department of Energy in the Energy and Water Development Appropriations Act, 2004, there is appropriated $250,000, to remain available until expended, for Biological Sciences at DePaul University; $500,000, to remain available until expended; for the Cedars-Sinai Gene Therapy Research Program; and $500,000, to remain available until expended, for the Hartford Hospital Interventional Electrophysiology Project.

SEC. 132. For an additional amount for the "Energy Supply" account of the Department of Energy in the Energy and Water Development Appropriations Act, 2004, there is appropriated $750,000, to remain available until expended, for the Energy Center of Wisconsin Renewable Fuels Project; $500,000, to remain available until expended, for the Wind Energy Transmission Study; $250,000, to remain available until expended, for the White Pine County, Nevada, Public School System biomass conversion heating project; $250,000, to remain available until expended, for the Lead Animal Shelter Animal Campus renewable energy demonstration project; $3,000,000, to remain available until expended, for the establishment of a Hawaii Hydrogen Center for Development and Deployment of Distributed Energy Systems; and $250,000, to remain available until expended, for the Eastern Nevada Landscape Coalition for biomass restoration and science-based restoration.

SEC. 133. For an additional amount for the "Construction, General" account of the Energy and Water Development Appropriations Act, 2004, there is appropriated $13,750,000, to remain available until expended.

SEC. 134. For an additional amount for "Millennium Challenge Corporation", $350,000,000, to remain available until expended.

SEC. 135. Section 203(m) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(m)) is amended by striking "December 31, 2003" and inserting "December 31, 2004".

SEC. 136. (a) The National Flood Insurance Act of 1968 is amended—

(1) in section 1319 (42 U.S.C. 4026), by striking "December 31, 2003" and inserting "June 30, 2004.";

(2) in the first sentence of section 1309(a) (42 U.S.C. 4016(a)), by striking "December 31, 2003" and inserting "the date specified in section 1319";

(3) in section 1336(a) (42 U.S.C. 4056(a)), by striking "December 31, 2003" and inserting "on the date specified in section 1319"; and

(4) in section 1376(c) (42 U.S.C. 4127(c)), by striking "December 31, 2003" and inserting "the date specified in section 1319".

(b) The amendments made by this section shall be considered to have taken effect on December 31, 2003.

SEC. 137. (a) Section 441(c) of the Maritime Transportation Security Act of 2002 (Public Law 107–295) is amended—

(1) by striking "and that is not the subject of an action prior to June 20, 2002, alleging a breach of subsections (a) and (b) of section 10601 as in effect on such date,"; and

(2) by striking "such subsections" and inserting "subsections (a) and (b) of section 10601 of title 46, United States Code, as in effect prior to November 25, 2002".

(b) The amendments made by subsection (a) apply to all proceedings pending on or commenced after the date of enactment of this Act.

SEC. 138. Public Law 108–108 is amended under the heading "Bureau of Indian Affairs, Construction" by striking "25 U.S.C. 2005(a)" and inserting "25 U.S.C. 2005(b)" and by striking "25 U.S.C. 2505(f)" and inserting "25 U.S.C. 2504(f)".

SEC. 139. CONGAREE NATIONAL PARK BOUNDARY REVISION. (a) IN GENERAL.—Subsection (c) of the first section of Public Law 94–545 (90 Stat. 2517; 102 Stat. 2607) is amended by striking paragraph (6) and inserting the following:

"(6) EFFECT.—Nothing in this section—

"(A) affects the use of private land adjacent to the park;

"(B) preempts the authority of the State with respect to the regulation of hunting, fishing, boating, and wildlife management on private land or water outside the boundaries of the park;

"(C) shall negatively affect the economic development of the areas surrounding the park; or

"(D) affects the classification of the park under section 162 of the Clean Air Act (42 U.S.C. 7472).".

(b) DESIGNATION OF CONGAREE NATIONAL PARK WILDERNESS.—

(1) DESIGNATION.—The wilderness established by section 2(a) of the Congaree Swamp National Monument Expansion and Wilderness Act (102 Stat. 2606) and known as the "Congaree Swamp National Monument Wilderness" shall be known and designated as the "Congaree National Park Wilderness".

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the wilderness referred to in paragraph (1) shall be deemed to be a reference to the Congaree National Park Wilderness.

SEC. 140. Section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108–108), is amended by striking "any other governmental land management entity" and inserting "any other land management entity".

SEC. 141. Effective as of November 18, 2003, section 9 of Public Law 100–692 (102 Stat. 4556; 16 U.S.C. 461 note.) is amended to read as follows:

"SEC. 9. TERMINATION OF COMMISSION.

The Commission shall terminate on November 18, 2007.".

SEC. 142. Title IV of Public Law 108–108 is amended in section 403(b)(4) by striking "75–5–703(10)(b)" and inserting in lieu thereof "75–5–703(10)(c)".

SEC. 143. Public Law 108–108 is amended under the heading "Indian Health Service, Indian Health Services" by deleting "(d) $2,000,000 for the Alaska Federation of Natives sobriety and wellness program for competitive merit-based grants:" and inserting "(d) $2,000,000 for RuralCap for alcohol treatment and related

transitional housing for homeless chronic inebriates in Anchorage, AK:".

SEC. 144. Public Law 108–108 is hereby amended by adding at the end of section 344 the following:

"(c) EXEMPTIONS.—The requirements of this section shall not apply to amounts in this Act designated as emergency requirements pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

"(d) INDIAN LAND AND WATER CLAIM SETTLEMENTS.—Under the heading 'Bureau of Indian Affairs, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians', the across-the-board rescission in this section, and any subsequent across-the-board rescission for fiscal year 2004, shall apply only to the first dollar amount in the paragraph and the distribution of the rescission shall be at the discretion of the Secretary of the Interior who shall submit a report on such distribution and the rationale therefor to the House and Senate Committees on Appropriations.".

SEC. 145. THEODORE ROOSEVELT NATIONAL WILDLIFE REFUGE.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term "county" means each of the counties of Leflore, Holmes, Humphreys, Sharkey, Warren, and Washington in the State.

(2) REFUGE.—The term "Refuge" means the Theodore Roosevelt National Wildlife Refuge established under subsection (b).

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) STATE.—The term "State" means the State of Mississippi.

(b) ESTABLISHMENT.—The Secretary shall establish the Theodore Roosevelt National Wildlife Refuge, consisting of approximately 6,600 acres of land that—

(1) as of the date of enactment of this Act, is owned by the United States;

(2) was formerly in the inventory of the United States Department of Agriculture; and

(3) is located in the counties.

(c) MAP.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map depicting the boundaries of the Refuge.

(d) BOUNDARY REVISION.—The Secretary may revise the boundaries of the Refuge in the counties to—

(1) carry out the purposes of the Refuge; or

(2) facilitate the acquisition or donation of land.

(e) ACQUISITION OF LAND.—Notwithstanding any other provision of law, the Secretary may, for management purposes, exchange Refuge land for land acquired or donated for fee title that is located in the counties.

(f) EDUCATION CENTER.—The Secretary of the Army, acting through the Chief of Engineers, in consultation with the Secretary, shall design and construct a multiagency wildlife and environmental interpretive and education center at a location in the South Delta area of the State to be determined by a site selection and feasibility study conducted by the Secretary of the Army.

(g) DESIGNATION OF REFUGE COMPLEXES.—

(1) HOLT COLLIER NATIONAL WILDLIFE REFUGE.—

(A) DESIGNATION.—The refuge in the State known as the "Bogue Phalia Unit of the Yazoo National Wildlife Refuge" shall be known as the "Holt Collier National Wildlife Refuge".

(B) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the refuge referred to in subparagraph (A) shall be deemed to be a reference to the Holt Collier National Wildlife Refuge.

(2) THEODORE ROOSEVELT NATIONAL WILDLIFE REFUGE COMPLEX.—

(A) DESIGNATION.—The refuge complex in the State known as the "Central Mississippi National Wildlife Refuge Complex" shall be known as the "Theodore Roosevelt National Wildlife Refuge Complex".

(B) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the refuge complex referred to in subparagraph (A) shall be deemed to be a reference to the Theodore Roosevelt National Wildlife Refuge Complex.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out this section.

(2) EDUCATION CENTER.—There are authorized to be appropriated to carry out subsection (f) $6,000,000.

SEC. 146. For the purposes described in section 386 of the Energy Policy Act of 2003 there is authorized to be appropriated $1,000,000, except that upon that Act becoming law, section 386 is amended through this Act:

(1) in subsection (a) by inserting before the term "to issue" the phrase "or with an entity the Secretary determines is qualified to construct and operate a liquefied natural gas project to transport liquefied natural gas from Southcentral Alaska to West Coast states,";

(2) at the end of paragraph 386(b)(1) by striking the period and inserting in its place ", or after the Secretary certifies there exists a qualified entity to construct and operate a liquefied natural gas project to transport liquefied natural gas from Southcentral Alaska to West Coast States. In no case shall loan guarantees be issued for more than one qualified project.";

(3) at the end of paragraph 386(c)(2) by striking the period and inserting in its place ", except that the total amount of principal that may be guaranteed for a qualified liquefied natural gas project may not exceed a principal amount in which the cost of loan guarantees, as defined by section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)), exceeds $2,000,000,000."; and

(4) at paragraph 386(g)(4):

(A) by inserting before the term "consisting" the new term "or system"; and

(B) by inserting between the term "plants" and the ")" the phrase "liquification plants and liquefied natural gas tankers for transportation of liquefied natural gas from Southcentral Alaska to the West Coast".

SEC. 147. PAYMENT OF EXPENSES AFTER THE DEATH OF CERTAIN FEDERAL EMPLOYEES IN THE STATE OF ALASKA. Section 1308 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3198) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

"(c) PAYMENT OF EXPENSES AFTER DEATH OF AN EMPLOYEE.—

"(1) DEFINITION OF IMMEDIATE FAMILY MEMBER.—In this subsection, the term "immediate family member" means a person related to a deceased employee that was a member of the household of the deceased employee at the time of death.

"(2) PAYMENTS.—If an employee appointed under the program established by subsection (a) dies in the performance of any assigned duties on or after October 1, 2002, the Secretary may—

"(A) pay or reimburse reasonable expenses, regardless of when those expenses are incurred, for the preparation and transportation of the remains of the deceased employee to a location in the State of Alaska which is selected by the surviving head of household of the deceased employee;

"(B) pay or reimburse reasonable expenses, regardless of when those expenses are incurred, for transporting immediate family members and the baggage and household goods of the deceased employee and immediate family members to a community in the State of Alaska which is selected by the surviving head of household of the deceased employee.".

SEC. 148. UNITED STATES OFFICE FOR NATIVE HAWAIIAN RELATIONS. (a) ESTABLISHMENT.—The sum of $100,000 is appropriated, to remain available until expended, for the establishment of the Office of Native Hawaiian Relations within the Office of the Secretary of the Interior.

(b) DUTIES.—The Office shall—

(1) effectuate and implement the special legal relationship between the Native Hawaiian people and the United States;

(2) continue the process of reconciliation with the Native Hawaiian people; and

(3) fully integrate the principle and practice of meaningful, regular, and appropriate consultation with the Native Hawaiian people by assuring timely notification of and prior consultation with the Native Hawaiian people before any federal agency takes any actions that may have the potential to significantly affect Native Hawaiian resources, rights, or lands.

SEC. 149. LEASE OF TRIBALLY-OWNED LAND BY ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK RESERVATION. The first section of the Act of August 9, 1955 (25 U.S.C. 415), is amended by adding at the end the following:

"(g) LEASE OF TRIBALLY-OWNED LAND BY ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK RESERVATION.—

"(1) IN GENERAL.—Notwithstanding subsection (a) and any regulations under part 162 of title 25, Code of Federal Regulations (or any successor regulation), subject to paragraph (2), the Assiniboine and Sioux Tribes of the Fort Peck Reservation may lease to the Northern Border Pipeline Company tribally-owned

land on the Fort Peck Indian Reservation for 1 or more interstate gas pipelines.

"(2) CONDITIONS.—A lease entered into under paragraph (1)—

"(A) shall commence during fiscal year 2011 for an initial term of 25 years;

"(B) may be renewed for an additional term of 25 years; and

"(C) shall specify in the terms of the lease an annual rental rate—

"(i) which rate shall be increased by 3 percent per year on a cumulative basis for each 5-year period; and

"(ii) the adjustment of which in accordance with clause (i) shall be considered to satisfy any review requirement under part 162 of title 25, Code of Federal Regulations (or any successor regulation).".

SEC. 150. (a) SHORT TITLE. This Act may be cited as the "Fern Lake Conservation and Recreation Act".

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—The Congress finds the following:

(A) Fern Lake and its surrounding watershed in Bell County, Kentucky, and Claiborne County, Tennessee, is within the potential boundaries of Cumberland Gap National Historical Park as originally authorized by the Act of June 11, 1940 (54 Stat. 262; 16 U.S.C. 261 et seq.).

(B) The acquisition of Fern Lake and its surrounding watershed and its inclusion in Cumberland Gap National Historical Park would protect the vista from Pinnacle Overlook, which is one of the park's most valuable scenic resources and most popular attractions, and enhance recreational opportunities at the park.

(C) Fern Lake is the water supply source for the city of Middlesboro, Kentucky, and environs.

(D) The 4,500-acre Fern Lake watershed is privately owned, and the 150-acre lake and part of the watershed are currently for sale, but the Secretary of the Interior is precluded by the first section of the Act of June 11, 1940 (16 U.S.C. 261), from using appropriated funds to acquire the lands.

(2) PURPOSES.—The purposes of the Act are—

(A) to authorize the Secretary of the Interior to use appropriated funds if necessary, in addition to other acquisition methods, to acquire from willing sellers Fern Lake and its surrounding watershed, in order to protect scenic and natural resources and enhance recreational opportunities at Cumberland Gap National Historical Park; and

(B) to allow the continued supply of water from Fern Lake to the city of Middlesboro, Kentucky, and environs.

(c) LAND ACQUISITION AND CONVEYANCE AUTHORITY, FERN LAKE, CUMBERLAND GAP NATIONAL HISTORICAL PARK.—

(1) DEFINITIONS.—In this section:

(A) FERN LAKE.—The term "Fern Lake" means Fern Lake located in Bell County, Kentucky, and Claiborne County, Tennessee.

(B) LAND.—The term "land" means land, water, interests in land, and any improvements on the land.

(C) PARK.—The term "park" means Cumberland Gap National Historical Park, as authorized and established by the Act of June 11, 1940 (54 Stat. 262; 16 U.S.C. 261 et seq.).

(D) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

(2) ACQUISITION AUTHORIZED.—The Secretary may acquire for addition to the park lands consisting of approximately 4,500 acres and containing Fern Lake and its surrounding watershed, as generally depicted on the map entitled "Cumberland Gap National Historical Park, Fern Lake Watershed", numbered 380/80,004, and dated May 2001. The map shall be on file in the appropriate offices of the National Park Service.

(3) BOUNDARY ADJUSTMENT AND ADMINISTRATION.—Subject to paragraph (4), the Secretary shall revise the boundaries of the park to include the land acquired under paragraph (2). The Secretary shall administer the acquired lands as part of the park in accordance with the laws and regulations applicable to the park.

(4) CONVEYANCE OF FERN LAKE.—

(A) CONVEYANCE REQUIRED.—If the Secretary acquires Fern Lake, the Secretary shall convey, notwithstanding any other law and without consideration, to the city of Middlesboro, Kentucky, all right, title, and interest of the United States in and to Fern Lake, up to the normal operating elevation of 1,200.4 feet above sea level, along with the dam and all appurtenances associated with the withdrawal and delivery of water from Fern Lake.

(B) TERMS OF CONVEYANCE.—In executing the conveyance under subparagraph (4)(A), the Secretary may retain an easement for scenic and recreational purposes.

(C) REVERSIONARY INTEREST.—In the event Fern Lake is no longer used as a source of municipal water supply for the city of Middlesboro, Kentucky, and its environs, ownership of Fern Lake shall revert to the United States and it shall be managed by the Secretary as part of the park.

(5) CONSULTATION REQUIREMENTS.—In order to better manage lands acquired under this section in a manner that will facilitate the provision of water for municipal needs, as well as the establishment and promotion of new recreational opportunities at the park, the Secretary shall consult with—

(A) appropriate officials in the States of Kentucky, Tennessee, and Virginia, and political subdivisions of these States;

(B) organizations involved in promoting tourism in these States; and

(C) other interested parties.

SEC. 151. (a) The Attending Physician to Congress shall have the authority and responsibility for overseeing and coordinating the use of medical assets in response to a bioterrorism event and other medical contingencies or public health emergencies occurring within the Capitol Buildings or the U.S. Capitol Grounds. This shall in-

clude the authority to enact quarantine and to declare death. These actions will be carried out in close cooperation and communication with the Commissioner of Public Health, Chief Medical Examiner, and other Public Health Officials of the District of Columbia government.

(b) In this section—

(1) the term "Capitol Buildings" has the meaning given such term in section 5101 of title 40, United States Code; and

(2) the term "United States Capitol Grounds" has the meaning given such term in section 5102(a) of title 40, United States Code.

(c) Subsection (a) shall take effect on the date of the enactment of this Act and shall apply during any fiscal year occurring on or after such date.

SEC. 152. (a) Notwithstanding section 907(a) of Public Law 107–206 (116 Stat. 977) or section 1102 of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1822(b)), the Architect of the Capitol, at any time after the date of the enactment of this Act and subject to the availability of appropriations, may enter into an agreement to acquire by lease any portion of the real property located at 499 South Capitol Street Southwest in the District of Columbia for the use of the United States Capitol Police.

(b) Any real property acquired by the Architect of the Capitol pursuant to subsection (a) shall be subject to the provisions of the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946.

SEC. 153. THE UNITED STATES SENATE-CHINA INTERPARLIAMENTARY GROUP. (a) ESTABLISHMENT AND MEETINGS.—Not to exceed 12 Senators shall be appointed to meet annually with representatives of the National People's Congress of the People's Republic of China for discussion of common problems in the interest of relations between the United States and China. The Senators so appointed shall be referred to as the "United States group" of the United States Senate-China Interparliamentary Group.

(b) APPOINTMENT OF MEMBERS.—The President pro tempore of the Senate shall appoint Senators under this section upon the recommendations of the majority and minority leaders of the Senate. The President pro tempore of the Senate shall designate 1 Senator as the Chair of the United States group.

(c) FUNDING.—There is authorized to be appropriated $100,000 for each fiscal year to assist in meeting the expenses of the United States group for each fiscal year for which an appropriation is made. Appropriations shall be disbursed on vouchers to be approved by the Chair of the United States group.

(d) CERTIFICATION OF EXPENDITURES.—The certificate of the Chair of the United States group shall be final and conclusive upon the accounting officers in the auditing of the accounts of the United States group.

(e) FISCAL YEAR 2004 FUNDING.—There is authorized within the contingent fund of the Senate under the appropriation account "MISCELLANEOUS ITEMS" $75,000 for fiscal year 2004 to assist in meeting the official expenses of the United States Senate-China Interparliamentary Group including conference room expenses, hospitality expenses, and food and food-related expenses. Expenses

shall be paid on vouchers to be approved by the Chair of the United States group. The Secretary of the Senate is authorized to advance such sums as necessary to carry out this subsection.

(f) APPROPRIATIONS.—There are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2004, $100,000 for the United States Senate-China Interparlimentary Group.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsections (a) though (d) shall apply to fiscal year 2004, and each fiscal year thereafter.

(2) FISCAL YEAR 2004.—Subsections (e) and (f) shall apply to fiscal year 2004.

SEC. 154. THE UNITED STATES SENATE-RUSSIA INTERPARLIAMENTARY GROUP. (a) ESTABLISHMENT AND MEETINGS.—Not to exceed 12 Senators shall be appointed to meet annually with representatives of the Federation Council of Russia for discussion of common problems in the interest of relations between the United States and Russia. The Senators so appointed shall be referred to as the "United States group" of the United States Senate-Russia Interparliamentary Group.

(b) APPOINTMENT OF MEMBERS.—The majority and minority leaders of the Senate shall appoint the Senators of the United States group. The majority leader of the Senate shall designate 1 Senator as the Chair of the United States group.

(c) FUNDING.—There is authorized to be appropriated $100,000 for each fiscal year to assist in meeting the expenses of the United States group for each fiscal year for which an appropriation is made. Appropriations shall be disbursed on vouchers to be approved by the Chair of the United States group.

(d) CERTIFICATION OF EXPENDITURES.—The certificate of the Chair of the United States group shall be final and conclusive upon the accounting officers in the auditing of the accounts of the United States group.

(e) FISCAL YEAR 2004 FUNDING.—There is authorized within the contingent fund of the Senate under the appropriation account "MISCELLANEOUS ITEMS" $75,000 for fiscal year 2004 to assist in meeting the official expenses of the United States Senate-Russia Interparliamentary Group including conference room expenses, hospitality expenses, and food and food-related expenses. Expenses shall be paid on vouchers to be approved by the Chair of the United States group. The Secretary of the Senate is authorized to advance such sums as necessary to carry out this subsection.

(f) APPROPRIATIONS.—There are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2004, $100,000 for the United States Senate-Russia Interparlimentary Group.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsections (a) through (d) shall apply to fiscal year 2004, and each fiscal year thereafter.

(2) FISCAL YEAR 2004.—Subsections (e) and (f) shall apply to fiscal year 2004.

SEC. 155. PAYMENT OF EXPENSES OF THE CHAPLAIN OF THE SENATE FROM THE CONTINGENT FUND OF THE SENATE. (a) IN GENERAL.—For each fiscal year there is authorized to be expended from the contingent fund of the Senate an amount, not in excess of

$50,000 for the Chaplain of the Senate. Payments under this section shall be made only for expenses actually incurred by the Chaplain of the Senate in carrying out his functions, and shall be made upon certification and documentation of the expenses involved, by the Chaplain claiming payment under this section and upon vouchers approved by the Chaplain and by the Committee on Rules and Administration. Funds authorized for expenditure under this section may be used to purchase food or food related items.

(b) REPEAL OF REVOLVING FUND.—

(1) REPEAL.—Section 2 of the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 61d–3) is repealed.

(2) REMAINING FUNDS.—Any funds in the Chaplain Expense Revolving Fund on the date of the repeal under this section shall be remitted to the general fund of the United States Treasury.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2004, and each fiscal year thereafter.

SEC. 156. (a) There is established in the House of Representatives a fund to be known as the "House of Representatives Revolving Fund", consisting of the following amounts:

(1) Amounts appropriated to the Fund.

(2) Amounts donated to the Fund.

(3) Interest on the balance of the Fund.

(b) Amounts in the Fund shall be expended at the direction of the Chief Administrative Officer of the House of Representatives, upon notification provided by the Chief Administrative Officer to the Committee on Appropriations of the House of Representatives, and shall remain available until expended.

(c) This section shall apply with respect to fiscal year 2004 and each succeeding fiscal year.

SEC. 157. RECOMPUTATION OF BENEFITS GUARANTEED IN CONNECTION WITH THE TERMINATION OF THE REPUBLIC STEEL RETIREMENT PLAN. (a) IN GENERAL.—The Pension Benefit Guaranty Corporation shall recompute the liability for monthly benefits guaranteed under section 4022 of the Employee Retirement Income Security Act of 1974 which are payable (without regard to this section) with respect to each participant and beneficiary under the Republic Steel Retirement Plan in connection with its termination on September 30, 1986.

(b) ADJUSTMENT OF GUARANTEED BENEFIT AMOUNTS.—In recomputing the liability for monthly guaranteed benefits pursuant to subsection (a) with respect to each participant or beneficiary, the Corporation shall increase the amount of such liability (as determined without regard to this section) by—

(1) the amount of the liability for nonguaranteed benefits under the LTV Steel Supplemental Pension Plan, as in effect with respect to such participant or beneficiary on January 1, 2001, and

(2) the amount of the liability for nonguaranteed benefits payable through the trust established in connection with the Republic Steel Plan under section 4049 of the Employee Retirement Income Security Act of 1974, as in effect with respect to such participant or beneficiary on January 1, 2001.

(c) CERTAIN BENEFITS DISREGARDED.—In making the recalculation under this section, the Corporation shall disregard—

(1) the amount of any benefits which were not paid during the period beginning with January 1, 2001, and ending with December 31, 2003, under the LTV Steel Supplemental Pension Plan or through the section 4049 trust referred to in subsection (b)(2),

(2) any liability for benefits under the LTV Steel Supplemental Pension Plan or through the section 4049 trust referred to in subsection (b)(2) that were included in the LTV Steel Salaried Defined Benefit Retirement Plan, as in effect on January 1, 1999,

(3) any liability for additional benefits that were included in the LTV Steel Supplemental Pension Plan to compensate for any liability of participants and beneficiaries under chapter 21 of the Internal Revenue Code of 1986 in connection with benefits payable under such Plan, and

(4) any liability under the LTV Steel Supplemental Pension Plan for temporary supplements.

(d) TIMING AND APPLICATION OF DETERMINATIONS.—Determinations of the increase in liability pursuant to subsection (b) shall be made as of December 31, 2003, using the mortality and interest assumptions otherwise applicable to plan terminations under title IV of the Employee Retirement Income Security Act of 1974 on such date. The recomputation under this section shall apply only with respect to benefits payable after such date.

SEC. 158. In addition to amounts appropriated or otherwise made available in other Acts, $9,692,000 is hereby appropriated to the Department of Defense Family Housing Improvement Fund, to remain available until expended, for family housing initiatives undertaken pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code: Provided, That such funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of such subchapter: Provided further, That of the funds available in the "Foreign Currency Fluctuations, Construction, Defense" account, $9,692,000 are rescinded.

SEC. 159. For an additional amount to carry out section 257 of the Help America Vote Act of 2002, $1,000,000,000, to remain available until expended: Provided, That no more than 1/10 of 1 percent of funds available for requirements payments under section 257 of the Help America Vote Act of 2002 shall be allocated to any territory.

SEC. 160. (a) DESIGNATION.—The United States courthouse located at 333 Lomas Blvd N.W. in Albuquerque, New Mexico, shall be known and designated as the "Pete V. Domenici United States Courthouse".

(b) Any reference in law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the "Pete V. Domenici United States Courthouse".

SEC. 161. The Director of the Office of Management and Budget shall hereafter consult with Alaska Native corporations on the same basis as Indian tribes under Executive Order No. 13175.

SEC. 162. Notwithstanding any other provision of law, in addition to amounts provided in this or any other Act for fiscal year

2004, $50,000,000, to be derived from the Highway Trust Fund and to remain available until expended, of which $44,000,000 shall be for reconstruction of the Treasure Island Bridge in Treasure Island, Florida and of which $6,000,000 shall be for necessary road improvements and design of a plaza at the John F. Kennedy Center for the Performing Arts in Washington, D.C.

SEC. 163. Section 802(b)(1) of the Japanese Imperial Government Disclosure Act of 2000 (Public Law 106–567; 114 Stat. 2865) is amended by striking "3 years" and inserting "4 years".

SEC. 164. The funds made available for Alaska Natives under the heading "Native American Housing Block Grants" in title II of division G of this Act shall be allocated to the same Native Alaskan Indian housing block grant recipients that received the funds in fiscal year 2003.

SEC. 165. In addition to the amounts otherwise provided in this or any other Act for fiscal year 2004, for "Department of Housing and Urban Development, Community Development Fund", $10,000,000 to remain available until expended for a grant to the Anchorage Museum in Anchorage, Alaska for facilities construction.

SEC. 166. The Secretary of a military department may use the authority provided in section 2667(a) of title 10, United States Code, to lease military family housing in the National Capital Region (as defined in section 2674 of such title) to key and essential personnel for continuity of government purposes.

SEC. 167. Notwithstanding any other provision of law, in addition to amounts otherwise provided in this or any other Act for fiscal year 2004, $55,000,000 is appropriated, to be available until expended, to be distributed as follows: for Department of Energy, Energy Programs, "Energy Supply", $12,400,000 for expenses related to the purchase, construction, operation of facilities, and acquisition of plant and capital equipment for facilities that produce fuels from agricultural and animal wastes, to the Society for Energy and Environmental Research, a not-for-profit energy research and development institution, to administer the program; for Department of Transportation, Federal Aviation Administration, "Grants-in-aid for airports", $2,000,000 for the extension of a runway at Fort Worth Alliance Airport, Fort Worth, Texas; for Department of Transportation, Federal Highway Administration, $1,000,000, for Rock County Road, Janesville, Wisconsin; for Department of Transportation, Federal Highway Administration, $2,500,000, for improvements to I–75 in Lee County, Florida; for Department of Veterans Affairs, Departmental Administration, "Construction; major projects", $500,000 for the preliminary planning of a new ambulatory clinic at the Defense Supply Center, Columbus in Columbus, Ohio; for "Small Business Administration, Salaries and Expenses", $500,000, to be available for a grant to the University of Wisconsin-Green Bay to establish a paper science technology transfer center; for "Funds Appropriated to the President, Bilateral Economic Assistance, Independent States of the Former Soviet Union", $1,000,000, for the National Program of Action for the Protection of the Arctic Marine Environment; for "Army Corps of Engineers, Construction, General", $1,000,000 for the Stockton Metropolitan Flood Control Reimbursement, California, project; for "Army Corps of Engineers, Construction, General", $1,000,000 for the San Timoteo Creek element of the Santa Ana River Mainstem, California, project;

for "Army Corps of Engineers, Construction, General", $2,000,000; for the Florida Keys Water Quality Improvements, Florida, project; for "Army Corps of Engineers, Construction, General", $1,500,000, for the Southern West Virginia Environmental Infrastructure, West Virginia, project; for "Department of Energy, Science", $2,000,000 for the Western Michigan University Nanotechnology Research and Computation Center; for Department of Energy, Energy Programs, "Energy Supply", $2,500,000 for the Enterprise Center in Chattanooga, Tennessee, for the Chattanooga Fuel Cell Demonstration Project; for "Environmental Protection Agency, State and tribal assistance grants", for grants to address drinking water and waste water infrastructure, $2,000,000 for the Wyoming Valley Sanitation Authority, Pennsylvania for combined sewer overflow infrastructure improvements; for "Environmental Protection Agency, State and tribal assistance grants", for grants to address drinking water and waste water infrastructure, $1,000,000 to the Saratoga Water Committee in Saratoga County, New York for construction of a drinking water transport pipeline; for "Centers for Disease Control and Prevention, Disease Control, Research, and Training", $1,000,000, for a grant to the Center for Emerging Biological Threats at Emory University, Atlanta, Georgia; for "Department of Education, Higher Education", $500,000, for a grant to Santa Clara University in Santa Clara, California for technology infrastructure upgrades, campus-wide network infrastructure enhancements and equipment; for "Department of Housing and Urban Development, Community Development Fund", $600,000, for a grant to Shelter from the Storm, Incorporated in Palm Desert, California for facilities renovations and improvements; for Department of Labor, Employment and Training Administration, $500,000, for the Labor Institute for Training, Inc., Indianapolis, Indiana; Department of Labor, Employment and Training Administration, $250,000, for the Institute for Labor Studies and Research, Cranston, RI, for Learning on the Roll; For Department of Health and Human Services, Health Resources and Services Administration, $200,000, for St. Luke's Episcopal Hospital, Houston, TX, facilities and equipment; For Department of Health and Human Services, Centers for Disease Control and Prevention, $200,000, for the University of Texas M.D. Anderson Cancer Center, Houston, TX, for a comprehensive cancer control program to address the needs of minority and medically underserved populations; For Department of Health and Human Services, Health Resources and Services Administration, $300,000, for the Long Island Cancer Center, State University of New York at Stony Brook, for facilities and equipment; For Department of Health and Human Services, Health Resources and Services Administration, $500,000 for the Iowa Health Foundation in Des Moines, Iowa for a demonstration project to improve dental care in underserved rural areas; For Department of Health and Human Services, Health Resources and Services Administration, $500,000, for the Cumberland Medical Center in Crossville, Tennessee for facilities and equipment; For Department of Health and Human Services, Centers for Disease Control and Prevention, $250,000 for the New Haven Public Schools in New Haven, Connecticut for the PE4LIFE program to promote and improve physical education, in cooperation with Yale University; For Department of Health and Human Services, Health Resources and Services Administration, $250,000, for Quinnipiac Uni-

versity in Hamden, Connecticut for health-related academic facilities and equipment; For Department of Health and Human Services, Health Resources and Services Administration, $365,000, for the University of Michigan Health Systems in Ann Arbor, Michigan for facilities and equipment; For Department of Health and Human Services, Administration on Aging, $500,000, for the Jewish Family & Children's Center of Greater Boston for Naturally Occurring Retirement Communities project; For Department of Health and Human Services, Centers for Disease Control and Prevention, $100,000, for the Marion County Health Department in Salem, Oregon for a project to improve collection, analysis and dissemination of data on infectious diseases; For Department of Health and Human Services, Health Resources and Services Administration, $400,000, for the Tillamook Lightwave in Tillamook, Oregon for a fiber optic link between Tillamook County Hospital and the Oregon Health Sciences University; For Department of Health and Human Services, Centers for Disease Control and Prevention, $300,000, for the Access Community Health Network in Chicago, Illinois for programs related to prevention and control of chronic diseases; For Department of Health and Human Services, Health Resources and Services Administration, $200,000, for the Northwestern Memorial Hospital in Chicago, Illinois for facilities and equipment; For Department of Health and Human Services, Health Resources and Services Administration, $200,000, for the Illinois Primary Health Care Association, for implementation of the Shared Integrated Management Information System; For Department of Health and Human Services, Health Resources and Services Administration, $250,000, for Family Resources Community Action in Woonsocket, Rhode Island for outreach and supportive services for persons with HIV/AIDS; For Department of Health and Human Services, Health Resources and Services Administration, $250,000, for St. Joseph Hospital/PeaceHealth in Bellingham, WA, on behalf of the Whatcom Community Health Improvement Consortium, to implement a model for improving care for patients with chronic diseases and increasing access and efficiency of services; For Department of Health and Human Services, Health Resources and Services Administration, $150,000, for the Children's Rehabilitation Center in White Plains, New York, for facilities and equipment; For Department of Health and Human Services, Health Resources and Services Administration, $60,000, for the Telfair Regional Hospital in McRae, Georgia for facilities and equipment; For Department of Health and Human Services, Health Resources and Services Administration, $65,000, for the Candler County Hospital in Metter, Georgia for facilities and equipment; For Department of Health and Human Services, Administration for Children and Families, $500,000 for The Boys & Girls Club of Greater Kansas City, Kansas City, MO, for the Heathwood Youth and Families Community Center; For Department of Health and Human Services, Health Resources and Services Administration, $200,000, for the Boston Medical Center in Boston, Massachusetts for facilities and equipment; For Department of Health and Human Services, Health Resources and Services Administration, $500,000, for the University of North Dakota School of Medicine and Health Sciences, for its rural health program in preventive medicine and behavioral sciences; For Department of Health and Human Services, Health Resources and

Services Administration, $900,000, for the California Hospital Medical Center in Los Angeles, California for facilities and equipment; For Department of Health and Human Services, Health Resources and Services Administration, $500,000, for the City of Abilene, Texas, Abilene-Taylor County Public Health District, for facilities and equipment; For Department of Health and Human Services, Health Resources and Services Administration, $400,000, for the Houston County Hospital, Crockett, TX, for facilities and equipment; for Department of Education, $200,000, for the University of Hawaii, West Oahu campus, HI, to produce the "Primal Quest" film documentary; for Department of Education, $500,000, for the Union Parish School District, Farmerville, LA, to implement an online assessment and interactive instructional program; for Department of Education, $200,000, for the Middle Country School District, NY, to establish a math, science and technology lab at Oxhead Road Elementary School in Centereach, NY; for Department of Education, $500,000, for the Florida Campus Compact, Tallahassee, FL, to enhance service-learning on college campuses throughout Florida; for Department of Education, $340,000, for Southern Connecticut State University, New Haven, CT, to expand nursing education recruitment, diversity and training programs, in collaboration with Gateway Community College; for Department of Education, $60,000, for Gateway Community College, New Haven, CT, to enhance educational media and technology; for Department of Education, $100,000, for Project Georgetown, Georgetown, TX, for an after-school program; for Department of Education, $200,000, for Communities in Schools-Bell-Coryell Counties, Inc., Killeen, TX, for educational services for at-risk youth; for Department of Education, $200,000, for Communities in Schools-Central Texas, Inc., Austin, TX, for educational services for at-risk youth; for Department of Education, $325,000; for Harrisburg Polytechnic Institute, Harrisburg, PA, for a K–16 curriculum, equipment, internships and enrichment activities for high school students; for Department of Education, $175,000, for Lehigh Carbon Community College, Tamaqua, PA, for equipment and technology upgrades, and for curricula; for Department of Education, $200,000, for Chicago State University, Chicago IL, to establish a school of pharmacy, including equipment; for Department of Education, $500,000, for Marywood University, Scranton, PA, to establish a Center for Assistive Technology; for Department of Education, $400,000, for the Boys & Girls Club of Pawtucket, RI, for academic and literacy, character education, career preparation, and enrichment activities for youth; for Department of Education, $250,000, for Whatcom Community College, Bellingham, WA, to establish a center for training in border security; for Department of Education, $400,000, for Westchester Community College, NY, for personnel, equipment and other programmatic expenses for The New Center; for Department of Education, $50,000, for the Marymount Institute for the Education of Women and Girls of Marymount College of Fordham University, Tarrytown, NY, for a mentoring project to enhance the academic and social development of Latina girls at Sleepy Hollow Middle School; for Department of Education, $500,000, for Northern Kentucky University, Highland Heights, KY, for the Urban Learning Center to expand access to postsecondary education; for Department of Education, $500,000, for Iron County School District, Cedar City, UT, for a student

achievement management information system; for Department of Education, $200,000, for Western Maine Technical College, South Paris, ME, for education programs and marketing activities; for Department of Education, $275,000, for the YMCA of the Triangle Area, Raleigh, NC, for youth mentoring, character education and leadership activities; for Department of Education, $325,000, for Communities in Schools of Northeast Texas, Inc., Pflugerville, TX, for educational services for at-risk students; for the Institute of Museum and Library Services, $300,000, for The Hudson River Museum, Yonkers, NY, for the "Hudson River Access" science education project; for the Institute of Museum and Library Services, $375,000, for the Tubman African American Museum, Macon, GA for exhibits, education programs and outreach activities; for the Institute of Museum and Library Services, $300,000, for the Maine Discovery Museum, Bangor, ME, for exhibits and education programs; for the Institute of Museum and Library Services, $225,000, for the North Carolina State Museum of Natural Sciences, Raleigh, NC, to develop exhibits and education programs; for the Department of Housing and Urban Development, "Community Development Fund", Economic Development Initiative program, for carrying out targeted economic investments, $3,010,000, to be allocated in the amounts and under the terms and conditions specified on pages 33 through 60 of House Report 108–235 for projects numbered 35, 52, 60, 61, 174, 175, 177, 181, 195, 223, 250, 265, 297, 333, 408, 409, 410, 421, 438, 439, 441, 496, 509, 574, and 583; and for the Environmental Protection Agency, "State and Tribal Assistance Grants" to local communities for repair, replacement or upgrading of their drinking water, wastewater or storm water infrastructure or for water quality protection activities, $600,000, to be allocated under the terms and conditions specified on pages 111 through 127 of House Report 108–235 for projects numbered 121 and 226.

SEC. 168 (a) RESCISSIONS.—From unobligated balances of amounts made available in Public Law 107–38, and in Public Law 107–117, and in appropriations Acts for the Department of Defense, $1,800,000,000 is hereby rescinded: Provided, That the Director of the Office of Management and Budget, after consultation with the Committees on Appropriations of the House and Senate and the Secretary of Defense, shall determine the amounts to be rescinded from each account that is to be so reduced: Provided further, That the rescissions shall take effect no later than September 30, 2004: Provided further, That the Director of the Office of Management and Budget shall notify the Committees on Appropriations of the House and Senate 30 days prior to rescinding such amounts: Provided further, That such notification shall include the accounts, programs, projects and activities from which the funds will be rescinded: Provided further, That this section shall not apply to any amounts appropriated or otherwise made available by the seventh proviso under the heading "Emergency Response Fund" in Public Law 107–38.

(b) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.59 percent of—

(1) the budget authority provided (or obligation limitation imposed) for fiscal year 2004 for any discretionary account in divisions A through H of this Act and in any other fiscal year 2004 appropriation Act (except any fiscal year 2004 supplemental appropriation Act, the Department of Defense Appro-

priations Act, 2004, or the Military Construction Appropriations Act, 2004);

(2) the budget authority provided in any advance appropriation for fiscal year 2004 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2004 for any program subject to limitation contained in any division or appropriation Act subject to paragraph (1).

(c) PROPORTIONATE APPLICATION.—Any rescission made by subsection (b) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(d) OMB REPORT.—Within 30 days after the date of the enactment of this section the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to subsection (b).

This division may be cited as the "Miscellaneous Appropriations and Offsets Act, 2004".

And the Senate agree to the same.

BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
FRANK R. WOLF
(except for section 617 of Division B),
JAMES T. WALSH,
DAVE HOBSON,
HENRY BONILLA,
JACK KINGSTON,
RODNEY P. FRELINGHUYSEN,
GEORGE R. NETHERCUTT, Jr.,
TOM LATHAM,
VIRGIL GOODE,
RAY LAHOOD,
JOHN P. MURTHA,
Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
CHRISTOPHER BOND,
MITCH MCCONNELL,
CONRAD BURNS,
RICHARD C. SHELBY,
JUDD GREGG,
ROBERT F. BENNETT,

BEN NIGHTHORSE CAMPBELL,
LARRY CRAIG,
KAY BAILEY HUTCHISON,
MIKE DEWINE,
SAM BROWNBACK,
DANIEL K. INOUYE,
TOM HARKIN,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2004, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2004; the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004; the District of Columbia Appropriations Act, 2004; the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004; the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004; the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004; the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004; and the Miscellaneous Appropriations and Offsets Act, 2004.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House and Senate bills that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that executive branch wishes cannot substitute for Congress's own statements as to the best evidence of congressional intentions—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: "Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law."

The House and Senate report language that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

In cases in which the House or the Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

In instances where the conference report refers to "the Committees," it is the intent of the Managers to mean the Committees on Appropriations of both House and Senate.

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

The conference agreement provides $5,092,000 for the Office of the Secretary instead of $3,468,000 as proposed by the House and $10,046,000 as proposed by the Senate.

The conferees note that the Congress included an authorization in the Farm Security and Rural Investment Act of 2002 (Section 10802) for a food biotechnology education program. This program is intended to provide the public with science-based evidence on the safety of foods produced with biotechnology for human consumption. The conferees direct the Secretary to provide the Committees with a defined plan within 30 days of enactment of this bill, detailing how the USDA intends to implement this food biotechnology education program and fulfill this statutory requirement.

The conferees agree that emergency preparedness related to field crops, farm animals and food processing and distribution is of critical importance, and that the agriculture and food sectors are part of the critical infrastructure requiring heightened attention and protection. Given the integral roles of state and local governments and the private sector in detecting, deterring and responding to acts of agro-terrorism, the conferees expect the Department of Agriculture and the Department of Homeland Security to coordinate efforts in assisting states, particularly by providing financial and technical support to initiatives oriented toward interstate cooperation in joint preparedness initiatives. The conferees are particularly interested in those states that have developed or are currently developing coordinated interstate initiatives.

The conferees note that as of September 30, 2003, $80,000,000 remains available to the Department from funds provided through the Emergency Response Fund (ERF), of which nearly $9,000,000 is available to the Secretary. Since these funds were provided, USDA has been one of the slowest Federal agencies to obligate its ERF funds. The conferees are aware of concerns about security, such as those raised by GAO and the USDA Inspector General in recent reports and in news reports regarding "table top" homeland security exercises. The conferees urge the Secretary to act promptly to address identified security needs and to advise the Committees on Appropriations of needs for which additional funds may be necessary. The conferees further direct the Secretary to advise the Committees promptly of the results of any future homeland security exercises.

The conferees are concerned about the possibility of bovine spongiform encephalopathy entering the United States through the importation of live cattle. The beef industry is the single largest in-

dustry in American agriculture, and an outbreak of BSE would be devastating to the industry, and to the public's perception of the safety of American food. Accordingly, the United States has never allowed the importation of live cattle from a country that has been found to have BSE. The conferees believe that the Secretary should not allow the importation of live cattle from any country known to have BSE unless that country complies with the animal health guidelines established by the World Organization for Animal Health. The conferees also expect the Secretary to continue to abide by international standards for the continued health and safety of the United States livestock industry.

The conferees are aware of current efforts to begin a study of the use of conservation cropping techniques in southeastern North Dakota, northeastern South Dakota and western Minnesota. The goal of this study would be to identify conservation rotations, cover crops, seeding techniques, and residue management practices that would make conservation tillage acceptable and profitable in these climate transition areas. The conferees encourage the Secretary to support efforts to begin this study, as appropriate.

The conferees are aware that USDA was authorized to develop a Delmarva Conservation Corridor Demonstration Program in the 2002 farm bill, but has not yet done so. This program allows USDA to target the benefits of watershed-based conservation programs to farmlands that local stakeholders have determined to be the most ecologically and economically important, with the goal of maximizing the ecological and working lands potential of the landscape. The conferees encourage the Secretary to support this program, and remind USDA that the intent of the 2002 farm bill provision was to allow the Secretary and the states flexibility in using the resources of existing agricultural conservation and forestry programs.

The conferees encourage NRCS, through the Conservation Technical Assistance Program, to work with the Thunder Basin Prairie Ecosystem Association and the U.S. Department of the Interior to continue work to develop a comprehensive and multispecies land management proposal for more than 260,000 acres of Federal and private lands within the Thunder Basin National Grasslands.

The conferees strongly encourage the Secretary to work to ensure that no chicken purchased for the School Lunch Program contains fluoroquinolones, including the initiation of a policy to not purchase chickens for these programs from companies that do not have a stated policy that they do not use fluoroquinolones in their chickens.

The conferees are aware that the Farm Service Agency has been given new responsibilities in carrying out portions of the Trade Adjustment Assistance program as authorized in the Trade Act of 2002. The conferees direct the Secretary, within 60 days of enactment of this Act, to provide the Committees on Appropriations an assessment of the staffing needs for each state office to carry out these new responsibilities.

The conferees are aware that the mission of USDA is to support agriculture and rural development in the U.S. and around the world, and this mission is supported by American tax dollars.

Therefore, the conferees strongly encourage the Secretary to make every effort to ensure that purchases made by USDA are manufactured or produced in the United States.

The conferees have provided a total of $3,300,000 for cross-cutting trade negotiations and biotechnology resources. Of this amount, the conferees provide $1,000,000 in the APHIS account, $500,000 in the FAS account, and $150,000 in the GIPSA account for these activities. Further, the conferees provide $1,650,000 to the Office of the Secretary for these activities, and direct that these funds shall become available for obligation only after the Secretary has provided to the Committees a detailed explanation of proposed expenditures.

The conferees commend the Department on the success achieved with the Lamb Meat Adjustment Program. However, the conferees also recognize the ewe lamb expansion portion was curtailed as a result of the serious drought conditions throughout the United States. The conferees encourage the Department to continue this portion of the program for an additional year.

The conferees expect the Secretary to seek the approval of the Committees on Appropriations before implementing a merger or reduction of any administrative or information technology functions relating to the Farm Service Agency, Natural Resources Conservation Service, Rural Development, or any other agency of the Department.

The conferees are concerned that transfers of funds from APHIS and ARS to the Department of Homeland Security (DHS) may result in a shift in focus away from agriculture, and fully expect the Secretary of Agriculture to seek assurances from the Secretary of Homeland Security that these diagnostic and research activities at Plum Island will firmly remain tied to agricultural interests. The conferees direct the Secretary to report to the Committees on Appropriations by February 1, 2004, on the funding amounts and the agricultural diagnostic and research activities at Plum Island that have been agreed upon by USDA and DHS for fiscal year 2004.

The conferees concur with the language and reporting requirement contained in the Senate report regarding geographically disadvantaged farmers and ranchers. In preparing the report, the Department shall work with the Farm Service Agency and all other relevant departmental agencies.

The conferees are aware that applications for the Senior Farmers' Market Nutrition Program are increasing and exceed the annual $15,000,000 provided in the farm bill. The conferees urge the Secretary to take maximum advantage of additional resources available to supplement existing funding, in order to meet demand for the program.

In order to provide a safeguard against the further decline of the rice industry and wildlife habitat in Texas, and to provide information to the Congress in anticipation of and preparation for the 2007 farm bill, the conferees direct the Secretary of Agriculture to review the administration of section 1105(a)(1)(E) of Public Law 107–171 as it relates to the proper application and implementation of the conserving use requirements on rice base acreage in Texas. The Secretary shall review and evaluate the costs, benefits and ef-

fects of the conserving use requirements and actual plantings and production on rice producers, including tenant rice producers, the rice milling and processing industry, wildlife habitat, and the economies of rice farming areas in Texas, detailed by each of these affected interests and by the program variables involved.

The Secretary shall post on the USDA website and also provide to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives an annual report detailing the progress and findings by February 1, 2004 and not later than October 1 of 2005 through 2007.

The conferees are aware that Section 10502 of the Farm Security and Rural Investment Act of 2002 (P.L. 107–171) requires the Secretary to investigate the problem of non-ambulatory livestock, report the findings to Congress, and promulgate regulations to regulate the humane treatment, handling and disposition of these livestock if deemed necessary by the results of the study. The conferees are concerned that although the farm bill was signed into law on May 7, 2002, USDA did not publish a Notice of Request for Approval of an Information Collection in the Federal Register to begin collecting information for this study until October 28, 2003. The conferees direct the Secretary to work expeditiously to complete this study at the earliest possible time, and to provide copies of all interim reports as well as the final report to the Committees on Appropriations and the authorizing committees. Further, the Secretary is directed to provide to the Committees on Appropriations a preliminary report no later than March 1, 2004.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

The conference agreement provides $8,707,000 for the Office of the Chief Economist as proposed by the Senate instead of $8,716,000 as proposed by the House.

The conferees direct the Department to submit to the Committees on Appropriations the biofuels report requested by the House by February 1, 2004.

NATIONAL APPEALS DIVISION

The conference agreement provides $13,670,000 for the National Appeals Division as proposed by the House instead of $13,997,000 as proposed by the Senate.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The conference agreement provides $7,740,000 for the Office of Budget and Program Analysis instead of $7,749,000 as proposed by the House and $7,544,000 as proposed by the Senate.

HOMELAND SECURITY STAFF

The conference agreement provides $499,000 for Homeland Security staff instead of $910,000 as proposed by the Senate. The House did not provide funding for this account.

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement provides $15,493,000 for the Office of the Chief Information Officer instead of $14,993,000 as proposed by the House and $15,710,000 as proposed by the Senate.

COMMON COMPUTING ENVIRONMENT

The conference agreement provides $119,289,000 for Common Computing Environment instead of $100,999,000 as proposed by the House and $118,789,000 as proposed by the Senate.

The conferees are aware that the acquisition of geospatial data and Geographic Information System technologies is critical to the Department of Agriculture's plans to modernize its County Service Centers and install a common computing environment that optimizes information sharing, customer service, and staff efficiencies, and dramatically improves the Department's ability to track and react to natural disasters, plant and animal disease outbreaks and bioterrorism events. Within the funds provided in this Act, the conferees encourage the Department to provide the appropriate level of support for the acquisition of geospatial data and Geographic Information System technologies.

OFFICE OF THE CHIEF FINANCIAL OFFICER

The conference agreement provides $5,684,000 for the Office of the Chief Financial Officer instead of $5,785,000 as proposed by the House and $5,496,000 as proposed by the Senate.

WORKING CAPITAL FUND

The conferees are concerned about issues raised by the Department's recent report on remote mirroring technology and expect the fiscal year 2005 budget request to adequately address these needs identified in the report, including how the costs of the remote data capability should be assigned and paid for by non-USDA users of the NFC as requested in the fiscal year 2003 Act.

The conferees deem the study submitted on remote mirror imaging sufficient to meet the requirement set forth in the fiscal year 2003 Act for release of funds. The conferees direct that of the funds provided in the fiscal year 2003 Agriculture Appropriations Act, no less than $4,000,000 shall be spent for the immediate implementation of an interim solution to address data vulnerability for mission critical applications, including data storage hardware and software, data replication software, and synchronous replication of the identified mission critical data. The conferees direct that this interim solution be achieved within six months of enactment of this Act.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

The conference agreement provides $808,000 for the Office of the Assistant Secretary for Civil Rights as proposed by the House instead of $794,000 as proposed by the Senate.

OFFICE OF CIVIL RIGHTS

The conference agreement provides $17,450,000 for the Office of Civil Rights instead of $15,445,000 as proposed by the Senate. The House provided no funding for this account.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

The conference agreement provides $673,000 for the Office of the Assistant Secretary for Administration as proposed by the Senate instead of $678,000 as proposed by the House.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

The conference agreement provides $156,469,000 for agriculture buildings and facilities and rental payments instead of $156,091,000 as proposed by the House and $187,022,000 as proposed by the Senate.

HAZARDOUS MATERIALS MANAGEMENT

The conference agreement provides $15,611,000 for Hazardous Materials Management as proposed by the Senate instead of $15,713,000 as proposed by the House.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $23,031,000 for Departmental Administration as proposed by the Senate instead of $40,597,000 as proposed by the House.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

The conference agreement provides $3,796,000 for the Office of the Assistant Secretary for Congressional Relations as proposed by the House instead of $3,825,000 as proposed by the Senate.

OFFICE OF COMMUNICATIONS

The conference agreement provides $9,228,000 for the Office of Communications as proposed by the Senate instead of $9,245,000 as proposed by the House.

The Committees directed the Office to provide them with copies of open source news material made available to USDA officials through the use of appropriated funds. The Office has not done so. Accordingly, the conferees direct the Office to begin doing so no later than 15 days after the date of enactment of this Act.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $77,281,000 for the Office of the Inspector General instead of $78,114,000 as proposed by the House and $75,781,000 as proposed by the Senate.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides $34,700,000 for the Office of the General Counsel as proposed by the House instead of $35,343,000 as proposed by the Senate.

The conferees note that the fiscal year 2004 funding level for the Office of the General Counsel does not provide funds to increase the number of Senior Executive Service employees of the Office. If the Office of the General Counsel determines the need to increase the number of SES employees in the Office, the General Counsel is directed to submit a reorganization plan to the Committees on Appropriations for approval.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The conference agreement provides $596,000 for the Office of the Under Secretary for Research, Education and Economics as proposed by the Senate instead of $597,000 as proposed by the House.

The conferees are concerned that research budgets submitted by the Department reflect a continuing disregard for Congressional program priorities. For a number of years, there has been no adequate justification presented to the Committees to support proposed project terminations. As a result, such proposed terminations have been disapproved by Congress, only to be resubmitted in a budget proposal for a subsequent year. The conferees direct the Under Secretary to end the recycling of proposed terminations that have already been rejected by the Congress. Further, the conferees expect that any termination proposed in the fiscal year 2005 budget will include a detailed justification in the explanatory notes accompanying the budget request.

ECONOMIC RESEARCH SERVICE

The conference agreement provides $71,402,000 for the Economic Research Service as proposed by the House instead of $69,902,000 as proposed by the Senate.

The conferees encourage ERS to coordinate with the North Carolina Department of Agriculture and North Carolina State University to collect the economic data and do the statistical analysis necessary to study the impact that growth in the horticulture industry is having on that state's economy.

The conferees provide the requested increase of $1,000,000 for development of an expanded Security Analysis System for U.S. Agriculture (SAS–USA). This is a scenario-based decision system, which will aid in evaluating threats to the food system. Within the amount provided, the conferees encourage ERS to develop requirements for a system to use available agricultural data to circumvent an attack on the food supply chain.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides $128,922,000 for the National Agricultural Statistics Service as proposed by the Senate instead of $129,800,000 as proposed by the House.

The conferees provide $4,800,000 for Agricultural estimates. The conferees encourage NASS to consider conducting Monthly Hogs and Pigs Inventory reporting, and Barrow and Gilt Slaughter reporting. The conferees also expect that both the potato objective yield survey and the potato size and grade survey will be continued.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement provides $1,088,892,000 for the Agricultural Research Service, Salaries and Expenses, instead of $1,014,000,000 as proposed by the House and $1,045,533,000 as proposed by the Senate.

The conference agreement includes bill language proposed by the Senate regarding a land conveyance.

The conferees have agreed to increased funding for the following laboratories and areas of research:

Budgeted increases, as follows: Babesiosis (Pullman, WA), $270,000; (Kerrville, TX), $630,000; Maize (Albany, CA), $180,000; Genetic Markers, Genomics, New Bioinformatics Tools (Ithaca, NY), $270,000; Computer Networking Capabilities (Beltsville, MD), $225,000; Soybean and Other Vegetable Oils (Peoria, IL), $360,000; Turf and Forage Grasses (Corvalis, OR), $135,000; Pink Bollworm (Phoenix, AZ), $225,000; Resistant Pest (Wapato, WA), $144,000; Asian Longhorned Beetle Including Emerald Ash Borer (Newark, DE), $270,000; Livestock Disease (Ames, IA), $270,000; Poultry Disease (Athens, GA), $270,000; Forensic Databases of Animal Diseases Including Nucleic Acid (Clay Center, NE), $270,000; Arbovirus Threats (Laramie, WY), $270,000; Merek's Disease (East Lansing, MI), $270,000; Foot and Mouth Disease (Headquarters), $315,000; Newcastle Disease (Athens, GA), $270,000; Emerging Diseases Offshore (Headquarters), $225,000.

Further increases, as follows: Advanced Animal Vaccines (U CT/U MO), $270,000; Agricultural Law, NAL (Drake University), $18,000; Agriculture Genome Bioinformatics, Ames, IA (Bioinformatics Institute for Model Plant Species), $540,000; Air Quality Research, Logan, UT (Utah State), $900,000; Air Quality (PM–10), Pullman, WA, $225,000; Animal Waste Treatment, Florence, SC, $270,000; Appalachian Fruit Research Station, Kearneysville, WV, $180,000; Appalachian Horticulture Research, Poplarville, MS (U TN/TN State), $450,000; Appalachian Pasture-Based Beef Systems, Beaver, WV, $90,000; Aquaculture Feeds/Aquaculture Research, Aberdeen, ID (U of ID Hagerman Fish Culture Experiment Station), $270,000; Biomedical Materials in Plants, Beltsville, MD (Biotechnology Foundation), $248,000; Bovine Genetics, Beltsville, MD (U CT/U IL), $540,000; Broomweed Biological Controls, Albany, CA, $270,000; Canada Thistle, Fargo, ND, $270,000; Cereal Disease Research, St. Paul, MN, $45,000; Children's Nutrition Center, Little Rock, AR, $225,000; Chronic Diseases of Children, Houston, TX (Baylor U/Peanut Institute), $383,000; Citrus Waste Utilization, Winter Haven, FL (FL Dept of Citrus), $360,000; Conservation Tillage, Pendleton, OR, $225,000; Corn Germplasm, Ames, IA, $225,000; Cotton Pathology Research,

Shafter, CA, $270,000; Cotton Quality, Clemson, SC, $270,000; Cropping Systems Research (U TN/West TN Ag Experiment Station), $630,000; Crop Production and Food Processing, Peoria, IL (Purdue U/U IL), $387,000; Dairy Forage (Madison, WI) $1,260,000; Delta Nutrition Intervention Initiative, Little Rock, AR (Southern U Center for Food Nutrition and Health Promotion), $270,000; Diet, Nutrition, and Obesity Research (Pennington Biomedical Research Center), $675,000; Ecology of Tamarix (Reno, NV), $900,000; Emissions from Livestock Wastewater (Florence, SC), $90,000; Endophyte Research, Booneville, AR (Univ. of AR/MO/OSU), $135,000; Feed Efficiency in Cattle (Clay Center, NE), $225,000; Fish Disease Research (Auburn, AL), $90,000; Flood Control Acoustic Technology, National Sedimentation Lab (Oxford, MS), $225,000; Food Fermentation Research (Raleigh, NC), $270,000; Food Safety and Engineering, Wyndmoor, PA (Purdue Univ), $90,000; Forage and Range Research (Logan, UT), $270,000; Formosan Subterranean Termite (New Orleans, LA), $315,000; Ft. Pierce Horticultural Research Laboratory (Ft. Pierce, FL), $450,000; Foundry Sand By-products Utilization (Ohio State/Purdue Univ), $162,000; Geisinger Rural Aging Study (PA), $135,000; Grand Forks Human Nutrition Lab, Grand Forks, ND (U of ND School of Medicine and Health Sciences), $270,000; Grape Genetics (Geneva, NY), $270,000; Grassland Soil and Water Research (Temple, TX), $225,000; Great Lakes Aquaculture Research (U of WI, $300,000), $540,000; Human Nutrition Research Center on Aging (Boston, MA), $225,000; Invasive Aphid Research (Stillwater, OK), $225,000; Invasive Aquatic Weeds (Ft. Lauderdale, FL), $135,000; Karnal Bunt, Manhattan, KS (Kansas State Univ), $90,000; Mid-West/Mid-South Irrigation, Columbia, MO (U of MO Delta Ctr., Portageville, MO), $45,000; Minor Use Pesticides (IR–4) (NJ, DE, Mid-Atlantic Region), $270,000; Monkeypox Research (Ames, IA), $900,000; National Cold Water Marine Aquaculture (Orono, ME), $270,000; Natural Products, Oxford, MS (National Center for Natural Products), $450,000; Northern Grains Insect Laboratory (Brookings, SD), $450,000; Northern Plains Agricultural Research Lab (Sidney, MT), $810,000; Northwest Hops/Hops Research (Corvallis, OR), $225,000; Nutritional Requirements Research/Children's Nutrition Research Center (Houston, TX), $450,000; Ogallala Aquifer (Bushland, TX), $855,000; Olive Fruitfly Research (Montpellier, France), $90,000; Ornamental and Horticulture Research (Pear Thrips) (Ithaca, NY) (Univ VT), $135,000; Paper Sludge Utilization (Coshocton, OH), $225,000; Peanut Research (Dawson, GA), $135,000; Phytoestrogen Research, SRRC (Tulane/Xavier/U of Toledo), $360,000; Pierce's Disease/Glassy-winged Sharpshooter (Davis, CA/Parlier, CA/Ft. Pierce, FL), $450,000; Plant Genetic Diversity and Gene Discovery Center, Logan, UT (Utah Ag Experiment Station), $675,000; Poisonous Plant Research Laboratory (Logan, UT), $1,080,000; Potato Research (Aberdeen, ID/Prosser, WA), $270,000; Potato Storage (Madison, WI), $270,000; Rainbow Trout, Aberdeen, ID (U of ID Hagerman Fish Culture Experiment Station), $653,000; Regional Molecular Genotyping (Raleigh, NC/Fargo, ND/Manhattan, KS/Pullman, WA), $720,000; Seafood Waste, Fairbanks, AK (U of AK), $180,000; Shellfish Ecology, Newport, OR (Hatfield Marine Science Center),

$270,000; Small Fruits Research (Corvallis, OR), $225,000; Soil Drainage Research (Columbus, OH), $144,000; Soil Dynamics Research (Auburn, AL) $270,000; Sorghum Cold Tolerance (Lubbock, TX), $270,000; Sorghum Utilization (Manhattan, KS), $360,000; Source Water Protection Initiatives (Columbus, OH/W. Lafayette, IN), $360,000; South Central Agricultural Research Laboratory (Lane, OK), $270,000; Southeastern Fruit and Tree Nut Research (Byron, GA), $270,000; Sudden Oak Disease/Sudden Oak Disease Syndrome (Ft. Detrick, MD/Davis, CA), $450,000; Sugarbeet Research (Kimberly, ID), $36,000; Sugarcane Research (Houma, LA/New Orleans, LA), $270,000; Sugarcane Variety Research (Canal Point, FL), $360,000; Sustainable Grazing Livestock Systems/Forage-Livestock Systems, Lexington, KY (U of KY), $540,000; Sustainable Olive Production (Weslaco, TX), $270,000; Sustainable Viticulture Research (Davis, CA), $270,000; Tree Fruit Quality Research (Wenatchee, WA), $270,000; Trout Genome Mapping, Leetown, (WV Univ), $450,000; United States National Arboretum (Washington, D.C.), $810,000; U.S. Pacific Basin Ag Research Center, Hilo, HI (Univ HI Manoa/Univ HI Hilo), $360,000; U.S. Vegetable Lab, Staffing (Charleston, SC), $270,000; Vector-borne Diseases (Gainesville, FL), $225,000; Verticillium Wilt (Salinas, CA), $360,000; Waste Management Research, Bowling Green, KY (Western KY Univ), $450,000; Water Use Reduction/Producer Enhancement Research (Dawson, GA), $225,000; Weed Management Research (Beltsville, MD), $270,000; Western Grazinglands (Burns, OR/Reno, NV), $270,000; West Nile Virus, Gainesville, FL (CT Ag Exp Station), $225,000; Wheat Quality Research (Wooster, OH/Manhattan, KS/Pullman, WA), $675,000; and Wine Grape Foundation Block (Prosser, WA), $135,000.

The conference agreement continues the fiscal year 2003 level of funding for all research projects proposed to be terminated in the President's budget.

The conference agreement concurs with the Agricultural Research Service's proposal to reprogram existing resources into priority initiatives of emerging diseases, global climate change, biosecurity, and genomic sequencing.

The conference agreement provides $13,772,000 for increased costs associated with Federal employees salaries and benefits.

The conference agreement provides an additional $383,000 for the Children's Nutrition Research Center at Houston, TX, for a cooperative research project with Baylor College of Medicine and the Peanut Institute to examine ways to prevent the onset of chronic diseases and the growing problem of overweight children.

The conference agreement provides an additional $450,000 for increased investigation of the nutritional needs of pregnant and nursing women, and children.

The conference agreement provides an additional $225,000 for ongoing cooperative research between the Flint River Water Planning & Policy Center and the National Peanut Research Laboratory at Dawson, Georgia.

The conferees provide increased funding for the development of a wine grape foundation block of certified "clean" rootstock at Prosser, WA and direct ARS to ensure that this funding is not obligated toward other research.

BUILDINGS AND FACILITIES

The conference agreement provides $63,810,000 for the Agricultural Research Service, Buildings and Facilities, instead of $35,900,000 as proposed by the House and $46,000,000 as proposed by the Senate.

The following items reflect the conference agreement: Grape Genomics Research Center (Davis, California), $2,700,000; U.S. Agricultural Research Station (Salinas, California), $4,500,000; U.S. Pacific Basin Agricultural Research Center (Hilo, Hawaii), $4,860,000; National Center for Agricultural Utilization Research (Peoria, Illinois), $2,700,000; ARS Sugarcane Research Laboratory (Houma, Louisiana), $1,350,000; Northeast Marine Cold Water Aquaculture Research Center (Orono/Franklin, Maine), $2,700,000; Abraham Lincoln National Agricultural Library (Beltsville, Maryland), $900,000; Beltsville Agricultural Research Center (Beltsville, Maryland), $2,700,000; Jamie Whitten Delta States Research Center (Stoneville, Mississippi), $4,860,000; National Plant and Genetics Security Center (Columbia, Missouri), $2,430,000; Northern Plains Agricultural Research Laboratory (Sidney, Montana), $2,520,000; Center for Crop-based Health Genomics (Ithaca, New York), $3,870,000; Center for Grape Genetics (Geneva, New York), $2,430,000; Grazinglands Research Laboratory (Ft. Reno, Oklahoma), $2,160,000; U.S. Vegetable Laboratory (Charleston, South Carolina), $3,150,000; ARS Research Laboratory (Pullman, Washington), $3,960,000; Appalachian Fruit Laboratory (Kearneysville, West Virginia), $1,800,000; Nutrient Management Laboratory (Marshfield, Wisconsin), $3,690,000; and Upgrade Security at ARS Laboratories (Various Locations), $10,530,000.

The conferees note that there is widespread interest in additional construction and renovation of ARS facilities throughout the country. This is not surprising when considering the fact that many of the existing facilities are decades old. However, the conferees are concerned that there does not seem to be a master plan for addressing these needs. Rather, construction projects in several parts of the country have been described by various ARS officials as the agency's top priority.

The conferees believe that there should be a logical progression for determining what projects should be funded. Therefore, beginning with the fiscal year 2005 appropriations process, the Committees will not consider funding requests for projects for which a prospectus has not been completed and submitted to the Committees by March 1 of each year. Each prospectus shall, at a minimum, include the following information: the feasibility, requirements, and scope of the proposed project; details on building size, cost, associated facilities, scientific capacity, and other requirements; and details on existing and planned program and resource requirements. Further, the conferees are requesting the assistance of ARS in determining the merits and priority for these projects.

In order to begin this orderly review process, the conferees direct ARS to provide a prospectus for each of the following projects: Aberdeen/Billingsley Creek, Idaho; Animal Waste Management Research in Bowling Green, Kentucky; Forage-Animal Research Laboratory in Lexington, Kentucky; Laboratory and Office Facilities in

Starkville, Mississippi; Animal Biosciences Facility at Montana State University; Red River Valley Agricultural Research Center in Fargo, North Dakota; Laboratory, Greenhouse, and Office Space at the University of Toledo; Dairy Forage Lab at Prairie du Sac and Madison, Wisconsin.

The conference agreement provides sufficient funding to complete all planning and design provided by the House and Senate, and construction phases as described in the Senate report.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides $621,447,000 for research and education activities instead of $597,372,000 as proposed by the House and $617,575,000 as proposed by the Senate.

The following table reflects the conference agreement:

Cooperative Satate Research, Education, and Extension Service (Dollars in Thousands)	2004 Conference Action
Research and Education Activities	
Hatch Act	180,148
McIntire Stennis Cooperative Forestry	21,884
Evans-Allen Program	36,000
Special Research Grants:	
Advanced genetic technologies (KY)	604
Advanced spatial technologies (MS)	885
Aegilops cylindrica (WA, ID)	343
Agricultural diversification (HI)	114
Agricultural diversity/Red River Corridor (MN, ND)	547
Agriculture science (OH)	447
Agriculture water usage (GA)	262
Agroecology (MD)	357
Air quality (TX)	900
Alliance for food protection (NE,GA)	268
Alternative nutrient management (VT)	149
Alternative salmon products (AK)	568
Alternative uses for tobacco (MD)	322
Animal Disease Research (WY)	223
Animal science food safety consortium (AR, KS, IA)	1,453
Apple fireblight (MI, NY)	459
Aquaculture (AR)	208
Aquaculture (ID/WA)	693
Aquaculture (LA)	315
Aquaculture (MS)	524
Aquaculture (NC)	262
Aquaculture (VA)	180
Aquaculture product and marketing development (WV)	675
Armilliaria root rot (MI)	143
Asparagus technology and production (WA)	250
Babcock Institute (WI)	540
Beef technology transfer (MO)	263
Berry research (AK)	180
Biobased nanocomposite research (ND)	179
Biomass-based energy research (OK, MS)	1,029
Biotechnology (NC)	274
Biotechnology Test Production (IA)	179
Bovine Tuberculosis (MI)	311
Brucellosis vaccine (MT)	441
Center for Public Lands and Rural Economics (UT)	225
Center for rural studies (VT)	304
Chesapeake Bay agroecology (MD)	286
Childhood obesity and nutrition (VT)	134
Citrus Canker (FL)	450
Citrus Tristeza	648
Competitiveness of agricultural products (WA)	608
Computational agriculture (NY)	223
Cool season legume research (ID, WA, ND)	540
Cotton fiber quality (GA)	450
Council for Agriculture Science and Technology	135
Cranberry/blueberry (MA)	154
Cranberry/blueberry disease & breeding (NJ)	211
Crop integration and production (SD)	270
Crop diversification center (ND/MO)	357
Crop pathogens (NC)	179
Dairy and meat goat research (TX)	57
Dairy farm profitability (PA)	447
Delta rural revitalization (MS)	184

Cooperative Satate Research, Education, and Extension Service (Dollars in Thousands)	2004 Conference Action
Designing foods for health (TX)	1,350
Diaprepes/Root Weevil (FL)	402
Dietary Intervention (OH)	900
Drought mitigation (NE)	202
Drought management (UT)	675
Efficient irrigation (NM/TX)	1,350
Environmental biotechnology (RI)	536
Environmental research (NY)	353
Environmental risk factors/cancer (NY)	199
Environmentally safe products (VT)	750
Ethnobotany research (AK)	270
Exotic pest diseases (CA)	1,800
Expanded wheat pasture (OK)	277
Farm injuries and illnesses (NC)	248
Feed barley for rangeland cattle (MT)	745
Feed efficiency in cattle (FL)	223
Feedstock conversion (SD)	675
Fish and shellfish technologies (VA)	405
Food Chain Economic Analysis (IA)	360
Floriculture (HI)	357
Food and Agriculture Policy Research Institute (IA, MO)	1,373
Food Marketing Policy Center (CT)	585
Food quality (AK)	315
Food safety (AL)	1,006
Food safety (OK, ME)	559
Food safety (TX)	179
Food safety research consortium	805
Food safety risk assessment (ND)	1,385
Food security (WA)	402
Food Systems Research Group (WI)	495
Forages for advancing livestock production (KY)	388
Forestry (AR)	458
Functional genomics (UT)	1,350
Future Foods (IL)	450
Generic commodity promotions, research and evaluation (NY)	175
Genomics (MS)	644
Global change / Ultraviolet radiation	2,012
Grain Sorghum (KS)	125
Grapefruit juice/drug interaction (FL)	223
Grass seed cropping for sustainable agriculture (WA, OR, ID)	409
Grazing research (WI)	225
Greenhouse crop production (AK)	450
Hispanic leadership in agriculture (TX)	450
Hoop barns (IA)	293
Horn fly research (AL)	135
Human nutrition (IA)	659
Human nutrition (LA)	716
Human nutrition (NY)	550
Hydroponic tomato production (OH)	180
Illinois-Missouri Alliance for Biotechnology (IL / MO)	1,085
Improved dairy management practices (PA)	357
Improved early detection of crop diseases (NC)	174
Improved fruit practices (MI)	213
Increasing shelf life of agricultural commodities (ID)	711
Infectious disease research (CO)	671
Institute for biobased products and food science (MT)	536
Institute for Food Science & Engineering (AR)	1,093
Integrated production systems (OK)	208
Intelligent quality sensor for food safety (ND)	322
International arid lands consortium	585

Cooperative Satate Research, Education, and Extension Service (Dollars in Thousands)	2004 Conference Action
Iowa Biotechnology Consortium	1,800
Leopold Center hypoxia project	225
Livestock and Dairy Policy (NY, TX)	900
Livestock genome sequencing (IL)	675
Livestock waste (IA)	270
Lowbush blueberry research (ME)	237
Maple research (VT)	134
Meadow foam (OR)	264
Michigan Biotechnology Consortium	562
Midwest Advanced Food Manufacturing Alliance	429
Midwest agricultural products (IA)	581
Midwest poultry consortium (IA)	630
Milk safety (PA)	671
Minor use animal drugs	529
Molluscan shellfish (OR)	353
Montana Sheep Institute	500
Multi-commodity research (OR)	357
Multi-cropping strategies for aquaculture (HI)	111
National beef cattle genetic evaluation consortium (NY)	675
National Biological Impact Assessment	226
National Center for Soybean Technology (MO)	900
Nematode resistance genetic engineering (NM)	131
Nevada Arid Rangelands Initiative (NV)	470
New crop opportunities (AK)	450
New crop opportunities (KY)	663
Nursery, greenhouse, turf specialties (AL)	277
Oil resources from desert plants (NM)	202
Organic Cropping (WA)	225
Organic waste utilization (NM)	89
Oyster post harvest treatment (FL)	402
Ozone air quality (CA)	384
Pasture and forage research (UT)	225
Peach tree short life (SC)	234
Perennial wheat (WA)	134
Pest control alternatives (SC)	273
Phytophthora root rot (NM)	166
Pierce's disease (CA)	2,025
Plant biotechnology (IA)	223
Plant, drought, and disease resistance gene cataloging (NM)	221
Potato research	1,417
Precision agriculture (KY)	663
Preharvest food safety (KS)	186
Preservation and processing research (OK)	201
Protein utilization (IA)	675
Rangeland ecosystems (NM)	286
Regional barley gene mapping project	680
Regionalized implications of farm programs (MO, TX)	540
Rice agronomy (MO)	179
Ruminant nutrition (MT, ND, SD, WY)	450
Rural Development Centers (LA, ND)	158
Rural obesity (NY)	179
Rural policies institute (NE, IA, MO)	1,136
Russian wheat aphid (CO)	286
Seafood harvesting, processing and marketing (AK)	1,073
Seafood & aquaculture harvesting, processing & marketing (MS)	271
Seafood safety (MA)	380
Seed research (AK)	360
Seed technology (SD)	315
Small fruit research (OR, WA, ID)	357
Soil and environmental quality (DE)	116

Cooperative Satate Research, Education, and Extension Service (Dollars in Thousands)	2004 Conference Action
Southwest consortium for plant genetics and water resources	353
Soybean cyst nematode (MO)	620
Soybean research (IL)	760
STEEP III -- water quality in Northwest	599
Sudden oak death (CA)	89
Sustainable agriculture (CA)	447
Sustainable agriculture (MI)	389
Sustainable agriculture and natural resources (PA)	134
Sustainable beef supply (MT)	895
Sustainable engineered materials from renewable sources (VA)	536
Sustainable pest management for dryland wheat (MT)	404
Swine and other animal waste management (NC)	443
Synthetic gene technology (OH)	150
Tick borne disease prevention (RI)	89
Tillage, silviculture, waste management (LA)	380
Tri-state joint peanut research (AL)	536
Tropical aquaculture (FL)	214
Tropical and subtropical research/T-Star	9,000
Uniform farm management program (MN)	268
Value-added product development from ag resources (MT)	368
Virtual plant database enhancement project (MO)	675
Viticulture consortium (NY, CA, PA)	1,609
Water conservation, (KS)	71
Water use efficiency and water quality enhancements (GA)	450
Weed control (ND)	389
West Nile Virus (IL)	675
Wetland plants (LA)	536
Wheat genetic research (KS)	237
Wheat sawfly research (MT)	452
Wood utilization (OR, MS, NC, MN, ME, MI, ID, TN, AK, WA, WV)	6,106
Wool research (TX, MT, WY)	270
Subtotal, Special Research Grants	111,312
Improved pest control:	
Expert IPM Decision Support System	159
Integrated pest management	2,453
Minor crop pest management (IR-4)	9,606
Pest Management Alternatives	1,457
Subtotal, Improved pest control	13,675
National Research Initiative	165,000
Animal Health and Disease (Sec. 1433)	4,559
1994 Institutions research program	1,093
Joe Skeen Institute for Rangeland Restoration (NM,TX,MT)	900
Graduate fellowship grants	2,900
Institution challenge grants	4,888
Multicultural scholars program	992
Hispanic education partnership grants	4,673
Secondary/2-year Post-secondary	895
Capacity building grants (1890 institutions)	11,479
Payments to the 1994 Institutions	1,689
Alaska Native-serving & Native Hawaiian-serving educ. grants	3,150
Alternative crops:	
Canola	756
Hesperaloe and other natural products from desert plants	313
Aquaculture Centers (Sec. 1475)	4,024
Critical Agricultural Materials Act	1,118
Sustainable agriculture research and education (SARE)	12,295

Cooperative Satate Research, Education, and Extension Service (Dollars in Thousands)	2004 Conference Action
Federal Administration:	
Ag-based industrial lubricants (IA)	405
Agriculture development in the American Pacific	493
Agriculture Waste Utilization (WV)	621
Agriculture Water Policy (GA)	900
Alternative fuels characterization laboratory (ND)	270
Animal Waste Management (OK)	300
Aquaculture (OH)	855
Aquaculture (PA)	223
Biotechnology research (MS)	671
Botanical research (UT)	797
Center for Agricultural and Rural Development (IA)	604
Center for Food Industry Excellence (TX)	223
Center for innovative food technology (OH)	1,049
Center for North American Studies (TX)	900
Climate forecasting (FL)	3,150
Cotton research (TX)	2,250
Data Information System	2,459
Electronic Grants Administration System	1,956
Feed efficiency (WV)	144
Fruit/vegetable market analysis (AZ, MO)	304
Geographic information system	1,440
Germplasm development in forage grasses (OH)	89
Greenhouse nurseries (OH)	717
High value horticultural crops (VA)	450
Information Technology (GA)	223
Livestock marketing information center (CO)	176
Mariculture (NC)	322
Mississippi Valley State University	939
Monitoring agricultural sewage sludge application (OH)	1,080
Office of Extramural Programs	403
Pay costs and FERS	2,286
Pasteurization of shell eggs (MI)	1,100
Peer Panels	314
Phytoremediation plant research (OH)	572
PM-10 study (WA)	392
Precision Agriculture, Tenn. Valley Research Center (AL)	585
Produce pricing (AZ)	72
Rural Systems (MS)	313
Salmon quality standards (AK)	135
Shrimp aquaculture (AZ, HI, MS, MA, SC, LA, TX)	3,768
Sustainable Agricultural Development (OH)	180
Sustainable agricultural freshwater conservation (TX)	1,800
The Land Institute (KS)	90
Urban Silviculture (NY)	216
Vitis Gene Discovery (MO)	360
Water pollutants (WV)	540
Water Quality (ND)	388
Wetland Plants (WV)	180
Subtotal, Federal Administration	37,704
Subtotal, Research and Education Activities	621,447

The conference agreement provides $380,000 for Seafood Safety, of which fifty percent shall be provided through a cooperative agreement with the Center for Marine Phytoremediation Technologies at Northeastern University.

The conferees provide funding for alternative salmon products, of which 25 percent shall be for a cooperative agreement for salmon baby food development.

The conferees provide funding for the alliance for food protection, of which 90 percent shall be for a cooperative agreement with the University of Georgia for integrated fruit and vegetable research.

Within the amount provided for Agricultural Diversity, the conferees direct that $100,000 be used to fund activities of the Red River Valley Research Corridor Office.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

The conference agreement provides $9,000,000 for the Native American Institutions Endowment Fund as proposed by both the House and Senate.

EXTENSION ACTIVITIES

The conference agreement provides $441,731,000 for extension activities instead of $439,742,000 as proposed by the House and $450,084,000 as proposed by the Senate.

The following table reflects the conference agreement:

Cooperative Satate Research, Education, and Extension Service (Dollars in Thousands)	2004 Conference Action
Extension Activities	
Smith-Lever Sections 3(b) & 3(c)	279,390
Smith-Lever Section 3(d):	
Farm safety	4,940
Food & nutrition education (EFNEP)	52,366
Indian reservation agents	1,785
Pest management	9,620
Sustainable agriculture research and development (SARE)	4,359
Youth at risk	7,583
Youth Farm Safety Education and Certification	446
1890 Colleges and Tuskegee	31,908
1890 facilities grants	15,000
Renewable Resources Extension Act	4,064
Rural health and safety education	2,345
Extension services at the 1994 institutions	2,946
Grants to Youth Serving Institutions	2,683
Subtotal	419,435
Federal Administration and special grants:	
Ag in the classroom	626
Agricultural and Entrepreneurship education (WI)	234
Alabama beef connection	338
Beef producers' improvement (AR)	175
Botanical Garden Initiative (IL)	214
Conservation Technology Transfer (WI)	450
Dairy Education (IA)	212
Dairy industry revitalization (WI)	338
Diabetes detection, prevention (WA, PA)	1,096
E-Commerce (MS)	336
Efficient Irrigation (NM/TX)	2,070
Entrepreneurial alternatives (PA)	223
Extension Specialist (MS)	134
Family farm industry network (OH)	1,247
Food Animal Residue Avoidance Database (FARAD)	716
Food preparation and marketing (AK)	270
Food product development (AK)	405
General Administration	5,499
Health Education Leadership (KY)	805
Income enhancement demonstration (OH)	215
Iowa Vitality Center	252
National Center for Agriculture Safety (IA)	225
National Wild Turkey Federation	225
Nursery production (RI)	223
Nutrition enhancement (WI)	900
Ohio-Israel Agriculture Initiative	540
Oquirrh Institute	270
Pilot technology transfer (OK, MS)	302
Pilot technology transfer (WI)	216
Potato Pest Management (WI)	360
Range improvement (NM)	219
Resilient communities (NY)	112
Rural business enhancement (WI)	180
Rural development (AK)	630
Rural development (NM)	353
Rural Technologies (HI, WI)	313
Urban horticulture (WI)	788
Urban market development (NY)	225
Web-based agriculture classes (MO)	180

Cooperative Satate Research, Education, and Extension Service	
(Dollars in Thousands)	
	2004
	Conference
	Action
Wood biomass as an alternative farm product (NY)	180
Subtotal, Federal Administration	22,296
Total, Extension Activities	441,731

Within funds provided for the farm safety program, the conference agreement includes $4,140,000 for the AgrAbility project.

INTEGRATED ACTIVITIES

The conference agreement provides $50,493,000 for integrated activities instead of $62,942,000 as proposed by the House and $46,711,000 as proposed by the Senate.

The following table reflects the conference agreement:

Cooperative Satate Research, Education, and Extension Service (Dollars in Thousands)	2004 Conference Action
Integrated Activities	
Water Quality	11,598
Food Safety	13,384
Regional Pest Management Centers	4,052
Crops at Risk from FQPA Implementation	1,338
FQPA Risk Mitigation Program for Major Food Crop Systems	4,371
Methyl Bromide Transition Program	3,150
Organic Transition Program	1,900
Subtotal	39,793
International Science and Education Grants Program	900
Critical Issues Program	447
Regional Rural Development Centers Program	1,353
Subtotal	1,800
Homeland Security	8,000
Total, Integrated Activities	50,493

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

The conference agreement provides $5,970,000 for Outreach for Socially Disadvantaged Farmers, instead of $8,470,000 as proposed by the House and $3,470,000 as proposed by the Senate.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

The conference agreement provides $725,000 for the Office of the Under Secretary for Marketing and Regulatory Programs as proposed by the House instead of $736,000 as proposed by the Senate.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The conference agreement provides $720,580,000 for the Animal and Plant Health Inspection Service (APHIS) instead of $725,502,000 as proposed by the House and $705,552,000 as proposed by the Senate. The following table reflects the conference agreement:

Animal and Plant Health Inspection Service

[In Thousands of Dollars]

Pest and Disease Exclusion:	
Agricultural quarantine inspection	$25,601
Cattle ticks	6,534
Foreign animal diseases/FMD	8,737
Fruit fly exclusion and detection	57,059
Import-export inspection	11,140
Screwworm	30,480
Trade issues resolution management	12,546
Tropical bont tick	423
Total, Pest and Disease Exclusion	152,520
Plant and Animal Health Monitoring:	
Animal health monitoring and surveillance	95,913
Animal and plant health regulatory enforcement	9,211
Emergency management systems	9,625
Pest detection	24,527
Total, Plant and Animal Health Monitoring	139,276
Pest and Disease Management:	
Aquaculture	1,250
Biological control	9,270
Boll weevil	51,000
Brucellosis	10,303
Chronic wasting disease	18,632
Emerging plant pests	93,650
Golden nematode	792
Grasshopper and Mormon cricket	5,491
Gypsy moth	4,725
Imported fire ant	2,429
Johne's disease	18,800
Low pathogen avian influenza	1,000
Noxious weeds	1,999
Pink bollworm	2,031
Plum pox	3,471
Pseudorabies	4,316
Scrapie	15,700
Tuberculosis	14,925
Wildlife services operations	71,736
Witchweed	1,526
Total, Pest and Disease Management	333,046
Animal Care:	
Animal welfare	16,400

Animal and Plant Health Inspection Service—Continued

Horse protection	490
Total, Animal Care	16,890
Scientific and Technical Services:	
Biosecurity	2,000
Information technology infrastructure	4,214
Biotechnology regulatory services	5,434
Environmental compliance	2,598
Plant methods development labs	8,208
Veterinary biologics	15,235
Veterinary diagnostics	19,947
Wildlife services methods development	17,100
Total, Scientific and Technical Services	74,736
Contingency fund	4,112
Total, Salaries and Expenses	720,580

The conference agreement provides an increase of $800,000 for the Foreign Animal Diseases/FMD program of which $750,000 is for classical swine fever eradication efforts.

The conference agreement provides an increase of $1,795,000 for Import/Export activities of which $1,500,000 is for the animal tracking system, and to identify the pathway of exotic animal diseases.

The conference agreement provides an increase of $1,000,000 for crosscutting trade negotiations and biotechnology resources in the Trade Issues Resolution Management program.

The conference agreement provides $1,000,000 to continue a cooperative agreement with the Wisconsin Livestock Identification Consortium.

The conference agreement provides $300,000 to assist in creating a database of North Carolina's agricultural industry to enable a rapid response to acts of terrorism.

The conference agreement provides an increase of $200,000 for the New Mexico Rapid Syndrome Validation Program.

The conference agreement provides an increase of $75,000 to continue the cooperative agreement with Murray State University.

The conference agreement provides $750,000 toward an alkaline digester in the State of Kansas to destroy and dispose of transmissible spongiform encephalopathy infection and other diseases.

The conference agreement provides $200,000 to address biosafety issues relating to antibiotic resistant strains of bacterial pathogens in the State of Vermont.

The conference agreement provides $200,000 for Iowa State University devoted to risk assessment, mitigation, and communication for genetically modified agricultural products.

The conference agreement provides an increase of $640,000 for the Emergency Management Systems program of which $280,000 is to increase the number of doses in the North American Foot and Mouth Disease Vaccine Bank, and $270,000 is to increase cooperative agreements with states.

The conference agreement provides an increase of $2,266,000 for Pest Detection programs of which $200,000 is to evaluate the utility of remote sensing (hyper spectral imaging and Light Detec-

tion Ranging) for the identification of ash trees, the early identification of emerald ash borer infestation, and the tracking and mapping of the diseased trees; $750,000 is for a cooperative agreement with the California County Pest Detection Augmentation Program; and $1,000,000 is to increase the domestic infrastructure for enhanced detection.

The conference agreement provides $18,632,000 for chronic wasting disease instead of $16,815,000 as proposed by the House and $20,000,000 as proposed by the Senate. The conference agreement provides that $1,750,000 is for the State of Wisconsin; $250,000 is for the State of Utah; and $250,000 is for the Conservation Medicine Center of Chicago.

The conferees expect the Secretary to continue to use the authority provided in this Act to transfer funds for the arrest and eradication of animal and plant pests and diseases that threaten American agriculture. The conference agreement adopts Senate bill language that prohibits funds from being spent to issue a final rule in Docket No. 02–06201 "Cost-Sharing for Animal and Plant Health Emergency Programs," and expects APHIS, in submitting apportionment requests for emergencies that threaten American agriculture, to disregard any arbitrarily imposed cost-share requirements for these funds.

The conference agreement provides an increase of $18,250,000 for Emerging Plant Pests of which $8,000,000 is for citrus canker eradication and control; $4,000,000 is for Asian long-horned beetle activities, of which $1,500,000 is for activities in the Chicago, Illinois area; $4,750,000 is for glassy-winged sharpshooter eradication and control; and $1,500,000 is for the Emerald Ash Borer Task Force for the removal of trees that have been affected by the emerald ash borer, with a priority for the removal of trees on public property or that threaten public safety.

The conferees are concerned that the continued presence of the emerald ash borer threatens the ash tree population in Michigan and other states, and direct the Secretary to provide to the Committees on Appropriations by March 1, 2004, a plan for addressing this problem.

The conferees are aware that the Asian long-horned beetle is extremely destructive and may spread to states where they do not yet exist. The conferees are also aware that this pest was recently found in Ontario, Canada, and are concerned this presents an additional threat to the introduction of the Asian long-horned beetle into Michigan and other states by way of commercial vehicles or other means. The conferees direct APHIS to do a comprehensive review of their procedures and regulations, and report to the Committees on Appropriations by January 1, 2004, on whether they are adequate to prevent the introduction of this or similar pests into the United States.

The conference agreement provides $5,491,000 for grasshopper and Mormon cricket suppression, of which no less than $1,000,000 shall be for suppression activities in Utah, and $150,000 for suppression activities in Nevada.

The conference agreement provides an increase of $100,000 for the Nez-Perce Biocontrol Center.

The conferees do not concur with the President's request to reduce funding in the wildlife services operations account to allow cooperators to assume a larger share of the costs associated with preventing wildlife damage, and protecting human health and safety.

The conference agreement provides an increase of $1,100,000 for a cooperative oral rabies vaccination program, and encourages the Secretary to use funds from the CCC, as necessary, for additional control activities in fiscal year 2004.

The conference agreement provides increases of $400,000 for hazing programs to manage the growth of cormorants in central New York watersheds; $75,000 to assist with the Nevada Division of Wildlife; $100,000 for beaver control in Kentucky; $200,000 for non-lethal geese control in New York; $175,000 for blackbird control in Kansas; and $125,000 for cormorant control in Michigan.

The conferees are aware of the Monkeypox outbreak in Wisconsin and other midwestern states. APHIS is working with the Centers for Disease Control to develop a comprehensive Federal response to the outbreak. The conferees urge APHIS to take all necessary steps to deal with the problem and direct it to provide the Committees with regular reports on the status of the situation.

The conference agreement provides $2,000,000 for the biosecurity program. The conferees have included language under the Office of the Secretary to ensure that veterinary diagnostic work at Plum Island, New York remains focused on agriculture. The conferees note that should APHIS encounter a shortfall in that veterinary diagnostic work, the funds in this line item may be used for that work, subject to reprogramming requirements in this Act.

The conference agreement provides an increase of $2,738,000 for Veterinary Diagnostics of which $1,000,000 is to enhance the laboratory network; $500,000 is to conduct anthrax diagnostics and related activities, and $750,000 is to update equipment needed to test certain animal samples in Colorado.

The conference agreement provides an increase of $2,225,000 for Wildlife Services Methods Development of which $1,300,000 is for the Predator Research Station in Utah; $100,000 is to enhance existing research efforts at the National Wildlife Research Center field station in Starkville, Mississippi; $200,000 is to expand the program at the Jack Berryman Institute for addressing wildlife damage management issues, and $400,000 is for the National Wildlife Research Station located in Texas.

The conferees are aware of the presence of chronic wasting disease in elk and deer in the state of New Mexico. The conferees encourage the Secretary to review the current situation and work with the state to establish, equip, and operate a state-run laboratory to conduct a rapid screening test for chronic wasting disease.

The conferees are aware of an outbreak of avian influenza in the state of Rhode Island. The conferees urge the Secretary to provide financial assistance to Rhode Island egg producers who have depopulated their flocks, as a result of this outbreak.

The conferees encourage the agency to support ongoing activities with the Wisconsin Department of Natural Resources animal nuisance program.

BUILDINGS AND FACILITIES

The conference agreement provides $4,996,000 for Animal and Plant Health Inspection Service Buildings and Facilities as proposed by both the House and Senate.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The conference agreement provides $75,430,000 for the Agricultural Marketing Service instead of $75,953,000 as proposed by the House and $75,263,000 as proposed by the Senate.

The conference agreement includes language regarding plant variety protection, as proposed by the Senate.

The conferees note that some of the additional funds may be used to improve scientific technical support of the National Organic Standards Board.

The conference agreement includes $14,700,000 for the Pesticide Data Program and $6,209,000 for the Microbiological Data Program.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement provides $62,577,000 for Limitation on Administration Expenses as proposed by both the House and Senate.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

The conference agreement provides $15,392,000 for Funds for Strengthening Markets, Income, and Supply as proposed by both the House and Senate.

PAYMENTS TO STATES AND POSSESSIONS

The conference agreement appropriates $3,338,000 for Payments to States and Possessions as proposed by the Senate instead of $1,347,000 as proposed by the House.

The conferees direct that $2,000,000 be provided to the Wisconsin Department of Agriculture, Trade, and Consumer Protection for the creation of specialty markets. The conferees recognize the need to expand marketing opportunities for value-added products, and expect a report from the Wisconsin Department of Agriculture, Trade, and Consumer Protection, through the Agricultural Marketing Service, regarding short and long-term objectives and plans to meet this need by March 1, 2004.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $35,890,000 for the Grain Inspection, Packers and Stockyards Administration instead of $39,690,000 as proposed by the House and $35,638,000 as proposed by the Senate.

The conferees understand that the Secretary has undertaken a product verification protocols pilot, in conjunction with the Mis-

souri, Illinois, and Iowa corn growers associations, to establish controls for regulated seed varieties and to augment grain marketing. The conference report provides $500,000 to continue this pilot program with the growers associations for development of production protocols.

The conferees are concerned about the management of the user fee program for grain export inspection and weighing services. The fee structure should fully fund the expenses of the program, as directed in the authorizing legislation. The funds appropriated by Congress for GIPSA's Salaries and Expenses account are meant to fund necessary personnel and operating expenses, and should not be used to fund deficiencies in the user fee account. In July 2003, the Secretary transferred $2,000,000 from the Salaries and Expenses account to the user fee account to avoid over-obligation in the user fee account. The unsustainable nature of the current fee structure is an ongoing problem. In a fiscal year 1998 supplemental, the fee account received an appropriation of $1,500,000 to avoid a violation of the Anti-Deficiency Act. The conferees are strongly opposed to the transfer of appropriated funds into user fee accounts, particularly in cases such as this in which the user fee funding shortfall is ongoing, predictable, and fixable. The conferees direct the Administration to immediately take all necessary steps to adopt and implement a fee structure that fully funds the services provided.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

The conference agreement provides $42,463,000 as proposed by both the House and Senate.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The conference agreement provides $599,000 for the Office of the Under Secretary for Food Safety as proposed by the House instead of $611,000 as proposed by the Senate.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides $784,511,000 for the Food Safety and Inspection Service, instead of $785,261,000 as proposed by the House and $783,761,000 as proposed by the Senate.

The conference agreement includes bill language relating to enforcement of the Humane Methods of Slaughter Act, as proposed by the Senate.

The conferees provide increases of $4,250,000 for increased inspection staffing to accommodate industry growth; $5,650,000 to improve the scientific and surveillance skills of the workforce; $1,650,000 to establish a continuous baseline program for risk assessments and performance measurement; $4,460,000 to increase sampling for pathogens and to develop the laboratory capability to respond to chemical terrorism; $1,777,000 to increase the number of Equivalency Review trips and auditors to conduct the reviews; and $750,000 to design a mass media campaign aimed at improving the safe food handling habits of consumers at home.

The conference agreement provides the agency with $1,650,000 solely to outsource microbiological testing, as requested in the

President's budget, with the goal of establishing a continuous baseline program for risk assessment and performance measurement. The conferees expect the Department to outsource baseline testing to private American Association for Laboratory Accreditation. International Standards Organization approved laboratories. The conferees direct the Department to report on the progress of this initiative within 60 days of enactment of this Act.

The conferees are concerned about the safety of imported meat. The amount of imported meat re-inspected by FSIS at our borders has dropped sharply in 2003. The conferees are also concerned that countries whose food safety systems have been deemed "equivalent" to ours (and whose producers are therefore allowed to export to the U.S.) may have serious weaknesses in their domestic food safety systems, but not be taken off the equivalency list.

The conferees request FSIS to report to the Committees by March 1, 2004, on the equivalence and reinspection processes. The report should address: how the agency determines that a country's meat inspection system is equivalent; whether this determination is subject to regular review and if so, how; what process FSIS uses for determining that a country is no longer equivalent; what public review of FSIS's equivalency determinations exists; why the amount of meat reinspected at the border has declined sharply; and how the agency's new automated import information system has impacted inspection operations at the border.

Food Safety and Inspection Service, funding by activity

[In thousands of dollars]

	Conference Recommendation
Food safety inspection:	
Federal	$701,823
State	49,858
International	18,398
Codex	2,637
Field Automation and Information Management	11,795
Total	784,511

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

The conference agreement provides $635,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services as proposed by the Senate instead of $636,000 as proposed by the House.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement provides $988,768,000 for the Farm Service Agency as proposed by the Senate instead of $1,016,836,000 as proposed by the House.

STATE MEDIATION GRANTS

The conference agreement provides $3,974,000 for State Mediation Grants, as proposed by both the House and Senate.

DAIRY INDEMNITY PROGRAM

The conference agreement provides $100,000 for the Dairy Indemnity Program, as proposed by both the House and Senate.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The following table reflects the conference agreement:

Farm Ownership Loans:	
Direct	($129,158,000)
Subsidy	28,518,000
Guaranteed	(950,000,000)
Subsidy	5,130,000
Farm Operating Loans:	
Direct	(617,503,000)
Subsidy	89,044,000
Unsubsidized Guaranteed	(1,200,000,000)
Subsidy	39,960,000
Subsidized guaranteed	(266,249,000)
Subsidy	34,000,000
Indian tribe land acquisition	(2,000,000)
Subsidy	0
Boll weevil eradication	(100,000,000)
Subsidy	0
ACIF expenses:	
Salaries and expenses (transfer to FSA)	283,020,000
Administrative expenses	7,948,000

RISK MANAGEMENT AGENCY

The conference agreement provides $71,422,000 for the Risk Management Agency as proposed by the Senate instead of $71,509,000 as proposed by the House.

The conferees are aware that certain additional states have been approved for participation in the Livestock Risk Protection Pilots for swine and other livestock categories, but that this expansion was limited to ten states. The conferees urge the Department to expand the program during fiscal year 2004 to the maximum extent possible, including the states of Missouri, North Dakota, Ohio, South Dakota, West Virginia, and Wisconsin.

FEDERAL CROP INSURANCE CORPORATION FUND

The conference agreement provides an appropriation of such sums as may be necessary for the Federal Crop Insurance Corporation Fund (estimated to be $3,368,000,000 in the President's fiscal year 2004 Budget Request), as proposed by both the House and Senate.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

The conference agreement provides an appropriation of such sums as may be necessary for Reimbursement for Net Realized Losses of the Commodity Credit Corporation (estimated to be $17,275,000,000 in the President's fiscal year 2004 Budget Request), as proposed by both the House and Senate.

HAZARDOUS WASTE MANAGEMENT

The conference agreement provides a limitation of $5,000,000 for Hazardous Waste Management, as proposed by both the House and Senate.

TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The conference agreement provides $745,000 for the Office of the Under Secretary for Natural Resources and Environment as proposed by the House instead of $761,000 as proposed by the Senate.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

The conference agreement provides $853,004,000 for Conservation Operations instead of $850,004,000 as proposed by the House and $826,635,000 as proposed by the Senate.

The conference agreement includes Senate bill language that prohibits the discretionary funds in this account from being used to provide technical assistance for mandatory farm bill programs.

The conferees direct the Chief of the NRCS, in making the fiscal year 2004 Conservation Operations funding allocations to the states, to treat items under the heading 'Conservation Operations' in the Statement of Managers accompanying this conference report, as increases to the states' funding allocation. The conferees direct the NRCS to provide a report to the Committees on Appropriations, not later than 45 days after the enactment of this Act, that includes the following: fiscal year 2003 Conservation Operations allocation by state; fiscal year 2004 Conservation Operations allocation by state; fiscal year 2004 Congressional earmarks by state; and the total fiscal year 2004 Conservation Operations allocation by state.

The conference agreement provides $23,500,000 for the Grazing Lands Conservation Initiative. The conferees also provide an additional amount of $950,000 for Grazing Lands Conservation Initiative activities in the State of Wisconsin.

The conferees urge NRCS to make EQIP funding available for public land contracts to the maximum extent permitted under the law. In particular, the conferees are concerned that EQIP funding be made available for public land ranchers in states such as AZ, NM, ID, UT, OR, CA, CO, and WY to help meet regulatory demands and to relieve utilization pressure on private lands in those states.

The statement of managers remains silent on provisions that were in both the House directives as contained in H. Rept. 108–193, pp. 59–62 and the Senate directives as contained in Senate Rept. 108–107, pp. 95–101, that remain unchanged by this conference agreement, except as noted herein: Environmental, educational, and demonstration of conservation practices (AL)—$200,000; obtain and evaluate materials for cold region seeds of plants in conjunction w/Alaska Division of Agriculture—$315,000;

Native Plant Materials (AK) (evaluating and developing)—$315,000; two staff positions in Palmer (AK)—$200,000; GIS-based mapping/hyperspectral imaging of agricultural lands—$400,000; Natural resource inventory development (AK)—$1,200,000; Cooperative agreement with soil and water conservation district (AK)—$1,500,000; planning and design of new storage facility at Plant Materials Center (AK)—$300,000; Southwest Strategy (AZ/NM)—$135,000; National Water Management Center (AR)—$2,475,000; Little Red River Irrigation Project—$398,000; Walnut Bayou (AR) Irrigation Project—$300,000; Study to determine logistics of transportation/coordination of excess nutrients (AR)—$200,000; Alameda County (CA) watershed surveys—$125,000; East Valley Conservation District/Santa Ana Watershed Authority (CA) Plant Removal—$1,000,000; Monterey Bay (CA) Sanctuary—$600,000; Cooperative agreement with Tufts University (CT) to improve conservation practices—$480,000; Expand cooperative efforts w/ Delaware State for plant materials—$290,000; Pilot projects for technology systems resulting in nutrient reduction (FL)—$5,000,000; Manatee (FL) Agriculture Reuse System—$2,000,000; Lake Okeechobee (FL) Watershed project planning—$270,000; Suwannee, Dixie, and Lafeyette Counties (FL) dairy and poultry waste treatment—$280,000; Cooperative agreement with Green Institute (FL)—$280,000; projects for nutrient reducing waste treatment systems (FL)—$720,000; Georgia Soil and Water Conservation Commission Cooperative Agreement—$3,600,000; Community nutrient management facilities (GA)—$350,000; PMC for Native Plants to clean up the Island of Kahoolawe (HI)—$108,000; Molokai (HI) Agriculture Community Committee—$250,000; Agricultural development/resource conservation—Molokai (HI)—$630,000; Idaho One Plan—$200,000; Conversion to sprinkler irrigation (ID)—$900,000; Basalt and ground water protection project—$250,000; Ecological site description project with Idaho Association of Conservation Districts—$400,000; Lower Payette (ID) ditch irrigation diversion project—$624,000; Trees Forever Program (IL)—$100,000; Iroquois River (IL) watershed—$436,000; Illinois River agricultural conservation project cooperative agreement with Ducks Unlimited—$238,000; Wildlife habitat education program cooperative agreement with National Wild Turkey Federation—$238,000; Hungry Canyon/Loess Hills Erosion Control/Western Iowa—$1,200,000; Trees Forever Program (IA)—$100,000; CEMSA w/Iowa Soybean Association—$363,000; Tipton Creek watershed (IA)—$120,000; Cooperative agreement with Northern Iowa University—$400,000; Innovative environmental technology program (IN)—$500,000; Soil erosion control cost-share program/soil survey program (KY)—$2,800,000; Cooperative agreement with Western Kentucky University—$400,000; Technical assistance to provide grants to Soil Conservation Districts (KY)—$880,000; Technical assistance for water project in Hardin County (KY)—$200,000; Dairy waste remediation-Lake Ponchartrain (LA) Basin—$290,000; False River (LA) sedimentation project—$150,000; Choupique Drainage canal improvements (LA)—$200,000; Porte de Luce watershed (LA)—$820,000; Cooperative agreement with Louisiana State University on effectiveness of agriculture and forestry—$273,000; Chesapeake Bay activities—$6,000,000; Conservation related to cranberry production (MA/

WI)—$570,000; Weed It Now-Taconic Mountains (MA/NY/CT)—$200,000; Great Lakes pilot program for conservation—$500,000; Franklin County (MS) Lake technical assistance—$1,500,000; Mississippi Delta Water Resources Study—$700,000; Delta Conservation Demonstration Center, Washington County (MS)—$1,400,000; Soil erosion/Alcorn State (MS)—$175,000; Cattle and nutrient management in stream crossings (MS)—$900,000; Choctaw County (MS) feasibility study for surface impoundment—$210,000; Wildlife Management Institute (MS)—$5,813,000; Humphrey's County (MS) Hospital flood protection—$360,000; Drainage improvements, Hinds County (MS)—$250,000; Drainage improvements, Port Gibson (MS)—$294,000; Rankin County (MS) Richland Creek watershed—$294,000; Rankin County (MS) erosion control project—$200,000; Establish Upper White River Water Quality Project Office in southern Missouri—$380,000; Lake Tahoe Basin Soil Conservation Project (NV/CA)—$500,000; Lake Tahoe Basin area soil survey (NV/CA)—$180,000; Improved nutrient management/protection of water resources (NV)—$540,000; establish plant materials center in the vicinity of Fallon (NV)—$450,000; State conservation cost share program (NJ)—$900,000; Ciudad Soil and Water Conservation District (NM)—$50,000; Riparian restoration activities along Rio Grande and Pecos River (NM)—$480,000; Pastureland Management/Rotational Grazing (NY)—$500,000; Best management practices/Skaneateles and Owasco Watersheds (NY)—$250,000; Address non-point pollution in Onondaga Lake Watershed (NY)—$250,000; Beaver Swamp Brook project (NY) implementation/environmental restoration—$300,000; Phase II/Watershed Agriculture Council in Walton (NY)—$700,000; Pace University Land Use Law Center—$200,000; Sodus Bay (NY) watershed/Wayne County technical assistance—$250,000; New York State Agriculture and Environment Program—$750,000; Long Island Sound watershed initiative—$200,000; Erosion control/stabilization for Hudson River (NY) shoreline—$250,000; evaluation of manure management systems (NY)—$130,000; Technical assistance to livestock/poultry industry (NC) $400,000; West Cary (NC) Watershed and Farmland Protection Project—$300,000; Red River Flood Prevention/Energy and Environmental Research Center (ND)—$1,490,000; North Central Planning Council water utilization/Devil's Lake—$559,000; Maumee Watershed Hydrological Study and Flood Mitigation Plan (OH)—$1,000,000; Oregon Garden, Silverton (OR)—$325,000; Native grassland demo project in the vicinity of Tar Creek (OK)—$2,200,000; Pawtucket watershed (RI)—$450,000; GIS-based model to integrate commodity and conservation—$800,000; Study to characterize land use change while preserving natural resources in cooperation with Clemson University (SC)—$900,000; Bexar, Medina, Uvalde Counties irrigation in Edwards Aquifer (TX)—$500,000; Field office telecommunications pilot program/advanced soil survey methods (TX)—$2,110,000; Leon River restoration project (TX)—$196,000; Range vegetation pilot project, Ft. Hood (TX)—$500,000; Texas Water Resources Institute cooperative agreement for Tarrant County (TX)—$500,000; AFO/CAFO Pilot Project (UT)—$300,000; Dry Creek/Neff's Grove project (UT)—$1,100,000; Study to examine effects of vegetative manipulation on water yields with Utah State University—$500,000; Wash-

ington Fields (UT)—$750,000; Wellsville (UT) drainage improvement—$250,000; Reduce phosphorus loading into Lake Champlain (VT)—$290,000; Pilot farm viability program project (VT)—$167,000; Walla Walla (WA) watershed alliance—$500,000; Comprehensive irrigation district management plans cooperative agreement—$250,000; Design/implement natural stream restoration initiatives (WV)—$770,000; Soil survey geographic database in the Mid-Atlantic Highlands (WV)—$180,000; Poultry Litter Composting (WV)—$160,000; Potomac and Ohio River Basin Soil Nutrient Project (WV)—$300,000; Appalachian Small Farmer Outreach Program (WV)—$860,000; GIS Center of Excellence at West Virginia University—$4,337,000; Grazing Lands Initiative/Wisconsin Department of Agriculture—$950,000; Global Environment Mgmt. Education Center at Stevens Point (WI)—$2,000,000; Examine benefits of using vegetative buffers w/ Univ. of Wisconsin-Madison—$600,000; Conservation land internship program (WI)—$108,000; Soil survey mapping and digitization project (WI)—$415,000; Wisconsin Tribal Conservation Advisory Committee cooperative agreement—$275,000; Cooperative agreement with Sand County Foundation (WI)—$900,000; Cooperative agreement with the University of Wisconsin for the Conservation Technology Transfer Project—$300,000; Soil survey mapping project (WY)—$300,000; Audubon at Home Pilot Program—$500,000; Grazing Lands Conservation Initiative—$23,500,000; Great Lakes Basin Program for Soil & Erosion Sediment—$2,500,000; Watershed management demo program/NPPC—$600,000; National Fish and Wildlife Foundation Partnerships—$3,000,000; Source water protection project to States that show the greatest need—$2,750,000; Operation Oak to restore hardwoods in the south/cooperative agreement with National Wild Turkey Federation—$300,000; SNOTEL—$9,250,000; Plant Materials Centers—$11,500,000; On-Farm Management Systems Evaluation Network—$200,000; and pay cost—$15,678,000.

The conferees concur with the language and reporting requirement contained in the Senate report regarding the Natural Resource Inventory (NRI). The conferees expect the pilot activity to provide resource data meaningful to Alaska and integrated with or supplemental to the national NRI.

The conferees urge the Department to give consideration to the use of WHIP funding for projects that will utilize the benefits of Eelgrass habitats to marine ecosystems in places such as Narragansett Bay in the State of Rhode Island, and similar areas.

WATERSHED SURVEYS AND PLANNING

The conference agreement provides $10,562,000 for Watershed Surveys and Planning instead of $11,124,000 as proposed by the House and $10,000,000 as proposed by the Senate.

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides $87,000,000 for Watershed and Flood Prevention Operations instead of $90,000,000 as proposed by the House and $55,000,000 as proposed by the Senate.

The conferees expect the Department to give consideration for financial and technical assistance to the following: Indian Creek

watershed (PA); Town Creek (MS); Oaklimiter Watershed (MS); Tanana River (AK); installation of land treatment conservation measures, including plan supplements, in the Brandywine Creek and the Red-White Clay Creek Watersheds (PA); and McCarthy Creek Watershed (AK).

WATERSHED REHABILITATION PROGRAM

The conference agreement provides $29,805,000 for the Watershed Rehabilitation Program as proposed by the Senate instead of $40,000,000 as proposed by the House.

The conferees direct that funding be provided for rehabilitation of structures determined to be of high priority need in order to protect property and ensure public safety.

RESOURCE CONSERVATION AND DEVELOPMENT

The conference agreement provides $51,947,000 for Resource Conservation and Development instead of $52,894,000 as proposed by the House and $51,000,000 as proposed by the Senate.

TITLE III—RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The conference agreement provides $636,000 for the Office of the Under Secretary for Rural Development as proposed by the House instead of $651,000 as proposed by the Senate.

The conferees direct the Under Secretary to give consideration to the following projects or organizations requesting financial and/or technical assistance, and grants and/or loans made available under the Rural Development mission area: Community facility, Belmont County (OH); expansion of wastewater treatment plant facilities, Village of Ruidoso and Ruidoso Downs (NM); Jamerson rural (NV) small business project; Forest Enterprises Technology Center (WI); Menominee Mini-Mall Development project (WI); Mole Lake Water and Sewer project (WI); Strawberry/Movie Ranch project (UT); Meadow View Heights project (UT); Johnson Canyon (UT); Garden State Ethanol (NJ); Energy Photovoltaics, Inc., (NJ); Cleburne County (AR) community facility/water and waste project; Menominee Tribal Enterprises (WI); Cold Canyon Park (CA) forestry center; Wastewater pumping and treatment system improvements in St. John (VI); Wastewater pumping and treatment system improvements in St. Thomas (VI); Rehabilitation of six major wastewater pump stations in St. Thomas and St. Croix (VI); Rehabilitation and replacement of sanitary sewer infrastructure components in St. Croix (VI); technical assistance to the Government of the U.S. Virgin Islands in formulating a prioritized wastewater system maintenance-management system; Brunswick Community College turf grass and horticulture technology program (NC); and, sewer and water system improvements on the Red Cliff (WI) reservation.

The conferees expect the Secretary to approve these projects only when subject to established review procedures.

The conferees encourage the Department to continue support for the National Rural Development Partnership (NRDP) and its

associated State Rural Development Councils (SRDCs). Additionally, the Department is encouraged to intensify its efforts to secure financial and other support for the NRDP and SRDCs from other Federal agencies with rural responsibilities.

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides $757,425,000 for the Rural Community Advancement Program (RCAP) instead of $701,006,000 as proposed by the House and $767,479,000 as proposed by the Senate.

The conference agreement provides $75,919,000 for community facilities; $605,006,000 for water and waste, of which $1,000,000 is for grants to nonprofit organizations to finance construction, refurbishing, and servicing of individually-owned household water well systems in rural areas, and of which $500,000 is for revolving funds for financing water and wastewater projects; and $76,500,000 is for rural business and cooperative development programs.

The conference agreement provides $24,000,000 for loans and grants to benefit Federally Recognized Native American Tribes.

The conference agreement provides $17,733,000 for technical assistance grants for rural water and waste systems.

The conference agreement provides $1,750,000 for grants to the Delta Regional Authority.

The conference agreement provides not less than $2,000,000 for grants to statewide private nonprofit public television systems.

The conference agreement provides $28,000,000 for rural and native villages in Alaska.

The conference agreement provides that of the funds for the circuit rider program, two additional full circuit rider contracts are for Alaska.

The conference agreement provides $22,000,000 for facilities in rural communities with extreme unemployment and severe economic depression.

The conference agreement provides $28,000,000 to be transferred to the Rural Utilities Service, High Energy Cost Grants Account.

The following table indicates the distribution of funding for the RCAP:

Community Facilities	$75,919,000
Business-Cooperative Development	76,500,000
Water and Waste	605,006,000
Total	757,425,000
Earmarks:	
Federally Recognized Native American Tribes	24,000,000
Rural Community Development Initiative	6,000,000
Technical Assistance for Rural Transportation	250,000
Delta Regional Authority	1,750,000
Colonias	25,000,000
Alaska Villages	28,000,000
Technical Assistance	17,733,000
Circuit Rider	13,000,000
EZ/EC and REAP	22,132,000
Economic Impact Initiative Grants	22,000,000
High Energy Cost Grants	28,000,000
RCAP	5,513,000
Nonprofit individually-owned water well grants	1,000,000

Water and Wastewater Revolving Funds	500,000
Native American Circuit Rider	750,000

RURAL DEVELOPMENT SALARIES AND EXPENSES

The conference agreement provides $141,869,000 for Rural Development Salaries and Expenses instead of $146,495,000 as proposed by the House and $140,922,000 as proposed by the Senate.

The conferees note that the funds provided in this Act may be used to ensure the timely relocation of the employees of the Rural Development and Farm Service Agency offices from the Abrams Federal Building on Market Street, in St. Louis, Missouri, to the new facility on Goodfellow Boulevard by December 31, 2004.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $232,347,000 for activities under the Rural Housing Insurance Fund Program Account instead of $232,426,000 as proposed by the House and $231,860,000 as proposed by the Senate.

The conference agreement provides for an estimated loan program level of $4,362,128,000 instead of $4,364,727,000 as proposed by the House and $4,352,813,000 as proposed by the Senate.

The conference agreement provides for a transfer of $443,302,000 to salaries and expenses instead of $447,151,000 as proposed by the House and $439,453,000 as proposed by the Senate.

The Rural Housing Service is encouraged to work with South County Housing Corporation in Monterey County, California, on the Salinas Road Swing Housing Project.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Housing Insurance Fund Program Account:

Loan authorizations:	
Single family (sec. 502)	($1,366,462,000)
Unsubsidized guaranteed	(2,725,172,000)
Housing repair (sec. 504)	(35,004,000)
Rental housing (sec. 515)	(116,545,000)
Site loans (sec. 524)	(5,045,000)
Multi-family housing guarantees	(100,000,000)
Multi-family housing credit sales	(1,500,000)
Single family housing credit sales	(10,000,000)
Self-help housing land development	(2,400,000)
Total, Loan authorizations	(4,362,128,000)
Loan subsidies:	
Single family (sec. 502)	126,018,000
Unsubsidized guaranteed	39,903,000
Housing repair (sec. 504)	9,612,000
Rental housing (sec. 515)	50,126,000
Site loans (sec. 524)	—
Multi-family housing guarantees	5,950,000
Multi-family housing credit sales	663,000
Single family housing credit sales	—

Self-help housing land development	75,000
Total, Loan subsidies	232,347,000
RHIF administration expenses (transfer to RD)	443,302,000

RENTAL ASSISTANCE PROGRAM

The conference agreement provides $584,000,000 for the Rental Assistance Program instead of $731,000,000 as proposed by the House and $721,281,000 as proposed by the Senate.

The conferees strongly support the Section 521 rental assistance program which helps approximately 264,000 low and very-low income rural households by providing a subsidy to offset a portion of their rent. The conference agreement provides sufficient funding to meet the needs associated with program renewals and new construction in fiscal year 2004. However, the conferees are concerned that the past budget requests for the cost of rental assistance have been overstated and have resulted in substantial unliquidated balances. In recent years, appropriations provided for five-year rental assistance contracts have been sufficient to cover a period of, on average, six and one half years. The conference agreement changes the contract term from five to four years better to reflect the actual costs of existing contracts. The conferees support the continuation of multi-year contracts to provide stability to the multi-family program. Further, the conference agreement provides the Secretary with the authority to carry-over unexpended funds at the completion of the four-year contract period to address future program needs for certain purposes.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides $34,000,000 for Mutual and Self-Help Housing Grants as proposed by the Senate instead of $34,772,000 as proposed by the House.

The conference agreement does not adopt Senate bill language regarding Demonstration Housing Grants.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides $46,222,000 for Rural Housing Assistance Grants as proposed by the Senate instead of $42,222,000 as proposed by the House.

The conferees provide $5,000,000 for a demonstration housing program for processing workers in the states of Alaska, Mississippi, Utah and Wisconsin. The conferees encourage the Secretary to administer this program through non-profits, governmental entities and community based organizations, including cooperatives and to fund grants up to 75 percent of the total development cost for each project awarded.

The Department should consider on-site tenant services in the selection criteria for projects awarded. The conferees encourage the Department to issue a notice of availability of funds within 60 days of enactment of this Act.

The conferees are concerned that only a few states benefited from the Supervisory and Technical Assistance Grant Program in the fiscal year 2003 allocation, and encourage the Secretary to con-

sider an allocation process that will not discriminate against other states or regions of the nation. The conferees encourage the Secretary to limit funding to any state or territory to 10 percent of available funds, and to give priority to entities that have experience in homeownership education and/or reducing delinquencies and foreclosures. The conferees expect the Secretary to provide not less than $2,000,000 for the Supervisory and Technical Assistance account.

FARM LABOR PROGRAM ACCOUNT

The conference agreement provides $36,307,000 for the Farm Labor Program Account as proposed by the House instead of $33,015,000 as proposed by the Senate.

The conference agreement provides $18,300,000 for loan subsidies, and $18,007,000 for grants.

HISTORIC BARN PRESERVATION

The conference agreement does not include $2,000,000 for the Historic Barn Preservation account as proposed by the Senate.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement provides a loan level of $40,000,000 with a subsidy of $17,308,000, the same as proposed by both the House and Senate.

The conference agreement provides for a transfer of $4,272,000 to the Rural Development salaries and expense account instead of $4,283,000 as proposed by the House and the Senate.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

The conference agreement provides a loan level of $15,002,000 for the Rural Economic Development Loans Program Account with a subsidy of $2,792,000 as proposed by the Senate instead of a $16,120,000 loan level with a subsidy of $3,000,000 as proposed by the House.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides $24,000,000 for Rural Cooperative Development Grants instead of $13,000,000 as proposed by the House and $8,967,000 as proposed by the Senate.

The conference agreement does not include bill language that sets aside $500,000 for cooperative research agreements.

The conference agreement provides $15,000,000 for value-added agricultural product market development grants.

The conference agreement adopts language for cooperatives or associations of cooperatives, whose primary focus is to provide assistance to small, minority producers and whose governing board and/or membership is comprised of at least 75 percent minority.

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES GRANTS

The conference agreement provides $12,667,000 for Rural Empowerment Zones and Enterprise Communities Grants instead of

$10,967,000 as proposed by the House and $14,370,000 as proposed by the Senate.

The conference agreement includes bill language providing that $1,000,000 shall be for third round empowerment zones.

RENEWABLE ENERGY PROGRAM

The conference agreement provides $23,000,000 for the Renewable Energy Program as proposed by the House and the Senate.

The conference agreement includes bill language that provides for guaranteed loans for this account.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $185,000 for activities under the Rural Electrification and Telecommunications Loans Program Account. The conference agreement provides for an estimated loan program level of $5,605,000,000 as proposed by the Senate instead of $4,655,000,000 as proposed by the House.

The conference agreement adopts bill language that provides guaranteed underwriting loans.

The conference agreement adopts House language providing for a transfer of $37,853,000 to salaries and expenses instead of $38,166,000 as proposed by the House and $37,920,000 as proposed by the Senate.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Electrification and Telecommunications Loans Program Account:

Loan authorizations:	
Electric:	
Direct, 5 percent	($240,000,000)
Direct, Muni	(1,000,000,000)
Direct, FFB	(2,000,000,000)
Direct, Treasury rate	(750,000,000)
Guaranteed	(100,000,000)
Guaranteed underwriting	(1,000,000,000)
Subtotal	(5,090,000,000)
Telecommunications:	
Direct, 5 percent	(145,000,000)
Direct, Treasury rate	(250,000,000)
Direct, FFB	(120,000,000)
Subtotal	(515,000,000)
Total, loan authorizations	(5,605,000,000)
Loan subsidies:	
Electric: Guaranteed	60,000
Telecommunications:	
Direct, Treasury rate	125,000
Total, loan subsidies	185,000
RETLP administrative expenses (transfer to RD)	37,853,000

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The conference agreement provides $173,503,000 for the Rural Telephone Bank Program Account as proposed by the Senate. The House did not provide funding for this account.

The conference agreement provides for a transfer of $3,171,000 to salaries and expenses instead of $3,182,000 as proposed by the House and the Senate.

DISTANCE LEARNING, TELEMEDICINE AND BROADBAND PROGRAM

The conference agreement provides $61,116,000 for the Distance Learning, Telemedicine and Broadband Program instead of $42,116,000 as proposed by the House and $65,116,000 as proposed by the Senate.

The conference agreement provides for an estimated loan program level of $300,000,000 for distance learning and telemedicine and $602,000,000 for broadband telecommunications.

The conference agreement includes $39,000,000 for Distance Learning and Telemedicine grants.

The conference agreement includes $13,116,000 for Broadband loan subsidies, and $9,000,000 for grants.

The conference agreement includes bill language that the Broadband Loan program shall be for direct, Treasury rate loans.

The conference agreement adopts language defining rural areas as proposed by the Senate.

The conferees are aware of and encourage the Secretary to support the utilization of remote telemedicine services capable of transmitting medical information in both real-time and stored scenarios for diagnosis, medical monitoring, and emergency purposes. Furthermore, the conferees recognize the need for integration and interoperability of real-time remote mobile medical technology with other devices, systems, and services which together offer increased capabilities, functionality, and levels of care.

TITLE IV—DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

The conference agreement provides $599,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services, as proposed by the House, instead of $611,000 as proposed by the Senate.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

The conference agreement provides $11,417,441,000 for Child Nutrition Programs, instead of $11,418,441,000, as proposed by both the House and Senate. The conference amount includes full funding of the request for program expenses, and $5,000,000 for a certification study, instead of $6,000,000 as requested.

Included in the total is an appropriated amount of $6,717,780,000 and a transfer from section 32 of $4,699,661,000.

The conference agreement includes a provision prohibiting use of funds for studies and evaluations, except as specifically provided.

The conferees provide $5,000,000 in one-time funding for a study of over and under certification errors and the effect those errors have on expenditures in the National School Lunch and School Breakfast Programs, and an assessment of the feasibility of using income data matching in those programs. The conferees are aware that this study will provide information necessary to make informed policy decisions regarding these programs, but direct the Department to work to ensure that neither the design nor implementation of the study will discourage participation in these programs by eligible children.

The conferees provide $10,025,000, the same level as fiscal year 2003 and the budget request, for the School Meals Initiative/Team Nutrition. The conferees believe it is important to support physical activity and healthy eating habits in children and strongly support the nutrition education activities carried out with these funds. The conferees encourage the Department to provide additional funding to support these efforts as appropriate to combat increased obesity and other health problems in children.

The conference agreement provides the following for Child Nutrition programs:

	Total Obligational Authority
Child Nutrition Programs:	
School lunch program	$6,683,704,000
School breakfast program	1,797,923,000
Child and adult care food program	2,019,045,000
Summer food service program	308,653,000
Special milk program	15,270,000
State administrative expenses	140,240,000
Commodity procurement and computer support	431,309,000
School meals initiative/Team nutrition	10,025,000
Food safety education	1,000,000
Coordinated review effort	5,235,000
Program Pay Cost	37,000
Certification and data match study	5,000,000
Total	11,417,441,000

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The conference agreement provides $4,639,232,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), as proposed by the Senate, instead of $4,588,310,000 as proposed by the House.

The conference agreement includes no less than $15,000,000 for a breastfeeding support initiative. In addition, the conference agreement provides up to $25,000,000 for investments in management information systems, and up to $4,000,000 for pilot projects to combat obesity in children, if the Secretary determines that those funds are not needed to maintain caseload. The conferees provide $23,000,000 for the Farmers' Market Nutrition Program, instead of $25,000,000 as proposed by the Senate, and no funding as proposed by the House. The House had funded this program at $20,000,000 under the Commodity Assistance Program account.

The conference agreement does not provide funds to increase the WIC contingency fund. The conferees note that $125,000,000 was provided for the WIC contingency fund in fiscal year 2003, and the entire amount remains available to the Secretary to fund program costs if necessary.

The conferees urge the Secretary to allow state and local WIC agencies the flexibility to use breastfeeding promotion and support methods and efforts that have yielded positive results, in the expenditure of funds provided for under Section 17 for the breastfeeding support initiative.

The conference agreement includes a provision prohibiting use of funds for studies and evaluations.

FOOD STAMP PROGRAM

The conference agreement provides $30,945,981,000 for the Food Stamp Program, instead of $27,745,981,000, as proposed by the House and $29,945,981,000 as proposed by the Senate. Included in this amount is a reserve of $3,000,000,000, instead of $2,000,000,000, as proposed in the budget request.

In addition to the $3,000,000,000 for the reserve, the conference agreement includes $26,403,176,000 for program expenses, $1,402,805,000 for grants to Puerto Rico and Samoa, and $140,000,000 for commodity purchase for The Emergency Food Assistance Program.

The conference agreement includes a provision allowing for purchase of bison meat, in an amount not to exceed $4,000,000, for the Food Distribution Program on Indian Reservations (FDPIR).

The conference agreement includes a provision prohibiting use of funds for studies and evaluations.

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides $150,000,000 for the Commodity Assistance Program, instead of $166,072,000, as proposed by the House and $145,740,000 as proposed by the Senate.

Within that amount, the conference agreement provides $98,919,000 for the Commodity Supplemental Food Program, an increase of $3,928,000 over the request and the House and Senate levels.

The conferees have provided this increase to address the growing caseload in this program. USDA has indicated that, at the request level of $94,991,000, the total budgetary resources available for fiscal year 2004 for the program—including beginning inventory—would be sufficient to support participation of 520,642, and caseload of 536,744. The conferees expect the Department to make the full amount of those budgetary resources available to support participation and caseload. The intention of the conferees is to ensure at a minimum that the final caseload in September, 2003, can be maintained in 2004, while meeting the requirement to protect the caseload of states that joined the program in 2003.

The conferees provide $50,000,000 for administration—processing, storage, transport, and distribution—of The Emergency Food Assistance Program (TEFAP). The conference agreement includes a general provision that provides the Secretary with author-

ity to transfer up to $10,000,000 from TEFAP commodity purchases to administration.

Within this account, the conferees provide $1,081,000 to the Food Donations Program for Pacific Island Assistance.

The conference agreement does not include funding for the Farmers' Market Nutrition Program in this account, as proposed by the House. Rather, $23,000,000 in funding for that program is provided in the account for The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

The conference agreement includes language regarding new authorization for assistance to nuclear affected islands.

NUTRITION PROGRAMS ADMINISTRATION

The conference agreement provides $138,304,000 for Nutrition Programs Administration, as proposed by the Senate, instead of $140,512,000 as proposed by the House. Included in this amount is not less than $4,000,000 to improve integrity in the Food Stamp Program and Child Nutrition Program.

The conferees provide the same funding level as fiscal year 2003 for studies and evaluations in the Nutrition Programs Administration account.

The conference agreement does not include funding for the requested initiatives, as proposed by the House.

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

The conference agreement provides $132,148,000 for the Foreign Agricultural Service, Salaries and Expenses instead of $133,924,000 as proposed by the House and $131,648,000 as proposed by the Senate.

The conferees direct the Secretary to distinguish between white (food grade) sorghum and yellow (feed grade) sorghum in food aid programs.

PUBLIC LAW 480 TITLE I AND TITLE II PROGRAM AND GRANT ACCOUNTS

The conference agreement provides $103,887,000 for Title I loan subsidies for a loan level of $132,000,000 as proposed by the House instead of $131,670,000 as proposed by the Senate.

The conference agreement provides $28,000,000 for Ocean Freight Differential as proposed by the House and the Senate.

The conference agreement provides $1,192,000,000 for Public Law 480 Title II as proposed by the House and the Senate.

The following table reflects the conference agreement for Public Law 480 program accounts:

Public Law 480

Title 1—Program account:	
Loan authorization, direct	($132,000,000)
Loan subsidies	103,887,000
Ocean freight differential	28,000,000
Title II—Commodities for disposition abroad:	
Program level	(1,192,000,000)

Appropriation	1,192,000,000
Salaries and expenses:	
Foreign Agricultural Service (transfer to FAS)	1,059,000
Farm Service Agency (transfer to FSA)	1,075,000

The conferees direct the administration not to place arbitrary limits on monetization under the Public Law 480, Title II, program. In food-deficit, import-reliant countries, monetization stimulates the economy and allows needed commodities to be provided in the marketplace. Food aid proposals should be approved based on the merits of the program plan to promote food security and improve people's lives, not on the level of monetization.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

The conference agreement provides $50,000,000 for the McGovern-Dole International Food for Education and Child Nutrition Program instead of $56,874,000 as proposed by the House and $25,000,000 as proposed by the Senate.

Although Food for Progress funds may not be used for the McGovern-Dole program, the conferees support the goals of that program and encourage the Secretary to investigate use of other resources, such as 416(b), to carry out activities consistent with the goals of the McGovern-Dole program.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

The conference agreement provides $4,152,000 for the Commodity Credit Corporation Export Loans Program Account as proposed by the Senate instead of $4,312,000 as proposed by the House.

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides total appropriations, including Prescription Drug User Fee Act, Medical Device User Fee Act, and Animal Drug User Fee Act collections, of $1,673,441,000 for the salaries and expenses of the Food and Drug Administration, instead of $1,668,249,000, as proposed by the House and $1,663,228,000, as proposed by the Senate, and provides specific amounts by FDA activity as reflected in the following table.

FOOD AND DRUG ADMINISTRATION, SALARIES AND EXPENSES

[In thousands of dollars]

Program	Budget authority	Prescription drug user fees	Medical device user fees	Animal drug user fees	Total
Foods	413,112				413,112
Human Drugs	295,906	182,060			477,966

FOOD AND DRUG ADMINISTRATION, SALARIES AND EXPENSES—Continued

[In thousands of dollars]

Program	Budget authority	Prescription drug user fees	Medical device user fees	Animal drug user fees	Total
Biologics	123,539	38,271	7,619		169,429
Animal Drugs and Feeds	84,646			4,750	89,396
Medical Devices	192,278		17,142		209,420
Nat'l Center for Toxicological Research	39,887				39,887
Other Activities	90,725	20,848	3,788		115,361
Rent and Rent-related Activities	38,636		640		39,276
Rental Payments to GSA	108,233	8,646	2,465	250	119,594
Total Recommendation	1,386,962	249,825	31,654	5,000	1,673,441

The conference agreement also makes mammography user fees and export certification user fees available to the agency.

Within the total funding for the Food and Drug Administration, the following increases above the fiscal year 2003 level are provided: $20,500,000 for counterterrorism and food safety activities; $8,000,000 to reduce review times and increase the number of generic drugs on the market; $4,000,000 for activities to support the Best Pharmaceuticals for Children Act; $3,000,000 for activities related to patient safety; $650,000 to improve FDA's over the counter drug program; and $1,145,000 to continue implementation of the Unified Financial Management System. Amounts provided above the budget request include: $9,000,000 for increased medical device review; $600,000 for the Office of Women's Health; $692,000 for the CFSAN Adverse Events Reporting System; $150,000 for the Agricultural Products Food Safety Laboratory; and $500,000 for dietary supplements.

The conference agreement includes language allowing for the collection and use of authorized user fees, and does not allow user fees collected in excess of the limitation to be credited to the various accounts and to remain available until expended. The conference agreement also allows for fees assessed prior to fiscal year 2004 but credited during fiscal year 2004 to be added to the account. Language is included to release the requirement of Section 521 of P.L. 107–188.

The conference agreement includes $2,375,000 for relocation expenses related to the move of the Center for Drug Evaluation and Research offices to the consolidated White Oak campus. Carryover funds available in the Prescription Drug User Fee Account should fund the remaining amount needed for the relocation.

The conferees are aware that language to authorize the Animal Drug User Fee Act has been passed by the House and Senate, but has not yet been signed into law. Therefore, the conferees have included language in the bill required for FDA to collect these fees, but prohibit FDA to begin collection until the authorization has been signed into law.

The conference report provides funding of $21,607,000 for Bovine Spongiform Encephalopathy (BSE) prevention activities.

The conference agreement recommendation includes a total of $9,445,000 for the Unified Financial Management System (UFMS),

an increase of $1,145,000. The conferees direct that, from this total amount, no less than $4,503,000 is to be invested in improvements to FDA's legacy systems and is not to be used for UFMS contracts or global UFMS costs.

The conferees provide $1,900,000 for the Agricultural Products Food Safety Laboratory, an increase of $150,000 over the fiscal year 2003 level, for FDA to continue its contract with New Mexico State University's Physical Sciences Laboratory to operate the Food Technology Evaluation Laboratory, which conducts evaluation and development of rapid screening methodologies, technologies, and instrumentation; and to provide technology deployment modeling and data analysis for food safety and product safety in order to facilitate FDA's regulations and responsibilities in food safety, product safety, homeland security, bioterrorism, and other initiatives.

The conferees direct that no less than $13,270,000 be available for grants and contracts awarded under section 5 of the Orphan Drug Act.

The conferees request that FDA report to the Committees on its oversight plan regarding the adequacy of current systems for the tracking of blood-derived products and patient notification of adverse events.

The conferees are pleased that the FDA has published a rule articulating a transition strategy for removing chlorofluorocarbon (CFC) propelled medicines from the U.S. market. The conferees are aware that several patient and physician organizations which represent those who suffer from asthma and chronic obstructive pulmonary disease submitted a Citizen Petition to the FDA requesting that it take measures to remove albuterol from the list of essential uses for CFCs. The conferees encourage the FDA to respond to the petition request in a timely manner and, if appropriate, expeditiously implement a transition strategy as alternative non-CFC products enter the U.S. market. The conferees request a report from the agency on its course of action regarding this issue, including plans to assure adequate access to necessary medications, within 90 days of enactment.

The conferees direct that no less than $53,750,000 of total funding appropriated for FDA be provided for the generic drugs program.

The conferees direct that none of the funds made available to the Food and Drug Administration in this Act be used for any assessments or charges by the Department of Health and Human Services (DHHS) unless identified in the FDA budget justification and provided in this Act, or approved by the Committees through the reprogramming process.

The conference agreement does not include language relating to human resources consolidation, as proposed by the House. The directive in the preceding paragraph includes that function, as well as all others subject to charges and assessments by DHHS.

The conference agreement includes no less than $250,000 for research and education activities with the Interstate Shellfish Sanitation Commission (ISSC) to focus on efforts relating to Vibrio vulnificus.

The conferees are concerned that FDA registration requirements for the licensed beverage industry under the Interim Final

Rule published October 10, 2003, duplicate the requirements of registration at the Alcohol and Tobacco Tax and Trade Bureau (TTB) of the U.S. Department of the Treasury. The conferees direct FDA to report to the Committees within 60 days of enactment on the scope of duplication, a description of data required by FDA but not by TTB, the estimated cost of transferring TTB registration data into the FDA system, and the timeframe in which the transfer could be accomplished, to avoid duplication and unnecessary costs to the industry.

The conferees are concerned that different Federal agencies have published information on the level of methyl mercury exposure that is considered safe for humans, which may be confusing to consumers. The conferees understand that in the last nine months, FDA and the Environmental Protection Agency have been working together to develop a single joint advisory that will contain advice about all types of fish (commercial and locally caught). The conferees expect FDA to provide a copy of the resulting draft joint advisory to the Committees by January 2, 2004.

The conferees direct that no less than $250,000 be provided to process comments submitted in response to Docket No. 95N–0304 published in the Federal Register on March 5, 2003 (68 FR 10417) and related activities.

The conferees are aware that the Food and Drug Administration has issued a final rule regarding the labeling of dietary supplements containing ginseng (68 Fed. Reg. 167, August 28, 2003) and has indicated that the industry must be in compliance with this labeling rule. The conferees encourage FDA to ensure that this final rule is being fully enforced.

The conferees are aware that on May 6, 2003, the FDA issued a draft guidance document on current good manufacturing practices for the medical gas industry, and that numerous comments were received on this draft prior to the deadline for public comments. The conferees expect the Agency to give consideration to each of these comments, and to respond to each comment accordingly. The conferees also encourage the FDA to undertake a risk-based and cost-benefit analysis before finalizing this document.

The conferees direct that of the funding provided, no less than $10,900,000, an increase of $500,000 be made available for the regulation of dietary supplements.

BUILDINGS AND FACILITIES

The conference agreement includes $7,000,000 for the repair and improvement of existing buildings and facilities, instead of $6,000,000 as proposed by the House and $7,948,000 as proposed by the Senate.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides $90,435,000 for the Commodity Futures Trading Commission, instead of $88,435,000 as proposed by both the House and Senate.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes a limitation of $40,900,000 on administrative expenses of the Farm Credit Administration (FCA), as proposed by both the House and Senate.

TITLE VII—GENERAL PROVISIONS

Section 710.—The conference agreement limits indirect costs for competitive grants awarded by the Cooperative State Research, Education, and Extension Service to 20 percent.

Section 722.—The conference agreement directs that no funding may be used to close or relocate a state RD office unless or until cost effectiveness and enhancement of program delivery have been determined.

Section 723.—The conference agreement provides $3,000,000 for Bill Emerson and Mickey Leland Hunger Fellowships.

Section 724.—The conference agreement allows balances, recoveries, and reimbursements that are available to carry out title III of P.L. 480 to be made available to carry out title II.

Section 725.—The conference agreement directs the Secretary to make commodity tonnage available, to the extent practicable, to assist foreign countries to mitigate the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome.

Section 726.—The conference agreement includes language regarding the National Sheep Industry Improvement Center revolving fund.

Section 727.—The conference agreement directs the Natural Resources Conservation Service to provide financial and technical assistance for certain projects in Arkansas, Alaska, Illinois, Utah, and Kansas.

Section 728.—The conference agreement names certain locations that shall be considered to meet eligibility requirements for programs within the Rural Development mission area.

Section 729.—The conference agreement directs the Natural Resources Conservation Service to provide financial and technical assistance for certain projects in Illinois and Kentucky and sets limits for that funding.

Section 730.—The conference agreement includes language limiting transfers unless specifically provided for in an appropriation Act.

Section 731.—The conference agreement includes a limitation regarding Food and Drug Administration offices in St. Louis, Missouri.

Section 732.—The conference agreement allows unobligated balances within the Department of Agriculture to be used to reimburse the Office of the General Counsel for certain services provided.

Section 733.—The conference agreement allows 20 percent of funds for competitive research grants to be used to carry out a competitive grants program under certain terms and conditions.

Section 734.—The conference agreement includes language regarding dam rehabilitation.

Section 735.—The conference agreement directs the Natural Resources Conservation Service to provide financial and technical assistance for the Upper Tygart Valley Watershed Project, and authorizes the Service to provide 100 percent of engineering assistance and 75 percent of the installation costs.

Section 736.—The conference agreement includes language regarding the Rural Strategic Investment Program.

Section 737.—The conference agreement includes language regarding rural firefighters and emergency personnel grants.

Section 738.—The conference agreement includes language regarding studies done by the Agricultural Research Service.

Section 739.—The conference agreement allows the Agricultural Marketing Service and the Grain Inspection, Packers and Stockyards Administration to purchase interest-bearing investments without posting them as obligations if they are insured or collateralized.

Section 740.—The conference agreement provides up to $10,000,000 for costs associated with the distribution of commodities under the Food Stamp Act of 1977.

Section 741.—The conference agreement includes language regarding the Wetlands Reserve Program.

Section 742.—The conference agreement prohibits funds in excess of $20,000,000 that have been appropriated in fiscal year 2004 or prior years, as authorized under the Agricultural Trade Development and Assistance Act of 1954, to be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under the Bill Emerson Humanitarian Trust Act.

Section 743.—The conference agreement includes language regarding the Environmental Quality Incentives Program.

Section 744.—The conference agreement directs the Natural Resources Conservation Service to provide financial and technical assistance to the Dry Creek project, Utah.

Section 745.—The conference agreement provides the Secretary of Agriculture with authority to authorize employees of the Department to carry and use firearms for personal protection while conducting field work in remote locations.

Section 746.—The conference report includes language regarding the renewable energy program.

Section 747.—The conference report includes language regarding the broadband telecommunications program.

Section 748.—The conference report includes language regarding value-added market development grants.

Section 749.—The conference report includes language regarding country-of-origin labeling.

Section 750.—The conference report includes a provision regarding rural electric subsidy costs.

Section 751.—The conference report includes a rescission of unobligated balances in the Alternative Agricultural Research and Commercialization Revolving Fund.

Section 752.—The conference report includes language regarding the Conservation Security Program.

Section 753.—The conference report includes language regarding the ground and surface water conservation program.

Section 754.—The conference report includes language regarding the Wildlife Habitat Incentive Program.

Section 755.—The conference report includes language regarding the Farmland Protection Program.

Section 756.—The conference report includes $15,000,000 in assistance for certain tree losses.

Section 757.—The conference report includes $1,500,000 for the Northern Great Plains Regional Authority and stipulates that the Federal cost share is 100 percent.

Section 758.—The conference report includes a directive on a reporting requirement related to trade development and assistance.

Section 759.—The conference agreement includes language regarding rural business investment subsidies.

Section 760.—The conference agreement includes language regarding travel card use.

The conferees are aware of the audit conducted by the USDA Office of the Inspector General (OIG) of the departmental travel card program, which uncovered problems such as fraud, abusive ATM usage, "bounced" check payments, and lack of specific travel card policies and penalties. USDA recently made efforts to limit abusive practices by attempting to reduce the number of credit card holders, issuing revised departmental regulations, and instituting a new system of alerts to catch abusive transactions.

The conferees commend the Secretary for moving forward to begin to address the problems with official credit and travel cards, and urge the Secretary to continue work on this problem. The conferees have retained the House-passed language as a reminder to the Department and will continue to monitor the Department's remedial activities. If it is necessary, the conferees will consider a statutory remedy during the fiscal year 2005 process.

Section 761.—The conference agreement includes a provision regarding cost-sharing requirements for animal and plant health emergency programs of the Animal and Plant Health Inspection Service.

Section 762.—The conference agreement authorizes use of USDA available discretionary funds for activities relating to discrimination complaints.

Section 763.—The conference agreement includes a provision regarding eligibility for housing assistance in Alaska.

Section 764.—The conference agreement provides $1,000,000 to the Denali Commission to address deficiencies in solid waste disposal sites.

Section 765.—The conference agreement directs that the cities of Vicksburg and Starkville, Mississippi, and Aberdeen, South Dakota, meet the requirements of a rural area as set in section 520 of the Housing Act until receipt of the decennial Census for 2010.

Section 766.—The conference agreement makes the cities of Berlin, New Hampshire, and Guymon, Shawnee, and Altus, Oklahoma, eligible for loans and grants provided through the Rural Community Advancement Program until receipt of the decennial Census for 2010.

Section 767.—The conference agreement includes language regarding competitive outsourcing.

Section 768.—The conference agreement amends the Housing Act of 1949 relating to adjusted income.

Section 769.—The conference agreement includes language relating to Agricultural Management Assistance. The conferees direct the Secretary to use not less than $3,000,000 of the funding available under this Section to the Risk Management Agency to fund additional crop insurance cost share assistance programs in states which have operated a state-funded crop insurance premium assistance program for crop years 2001, 2002.

Section 770.—The conference agreement includes a permanent limitation regarding sale or export of tobacco or tobacco products through the Foreign Agricultural Service.

Section 771.—The conference agreement includes a provision to maintain the benefit level for Food Stamp recipients in Alaska and Hawaii at the fiscal year 2003 level.

Section 772.—The conference agreement includes a provision defining "rural eligible community" in the Rural Electrification Act of 1936.

Section 773.—The conference agreement includes a provision relating to eligibility of rural areas in Hawaii for programs in the Rural Development Mission Area.

Section 774.—The conference agreement includes a provision relating to mortgage-backed securities.

Section 775.—The conference agreement includes a provision giving the Secretary of Agriculture the authority to allow Community Facility Program borrowers to enter into contracts with third parties for necessary services.

Section 776.—The conference agreement gives the Secretary of Agriculture the authority to enter into cooperative agreements to lease aircraft.

Section 777.—The conference agreement amends language in the Agricultural Assistance Act of 2003 regarding citrus canker assistance.

Section 778.—The conference agreement includes language regarding a Sun Grant Research Initiative.

Section 779.—The conference agreement includes language allowing use of unobligated balances in certain accounts within the Rural Utilities Service for the purposes of section 315 of the Rural Electrification Act of 1936.

Section 780.—The conference agreement includes language regarding price supports for nonfat dry milk and butter.

Section 781.—The conference agreement authorizes the Secretary to make funding and other assistance available through the emergency watershed protection program for damage to non-Federal lands due to fires initiated by the Federal Government, and waives cost sharing requirements.

Section 782.—The conference agreement authorizes the Secretary to waive requirements regarding small and emerging rural business under the Rural Business Enterprise Grant program for the Oakridge Oregon Industrial Park.

Section 783.—The conference agreement makes the Alaska Department of Community and Economic Development eligible for a water and waste disposal grant that funds not more than 75 per-

cent of the cost of the project, and permits the grant to pass through to the local government.

Section 784.—Language is included regarding eligibility for the Conservation Reserve Program for land planted in hardwood trees, and previously enrolled in the program, to remain enrolled.

Section 785.—The conference agreement makes the city of Postville, Iowa, eligible for a water and waste disposal grant that funds not more than 75 percent of the cost of the project.

Section 786.—The conferees include a limitation on funding for the Natural Resources Conservation Service related to a reorganization of regional conservationists and/or regional offices.

Section 787.—The conference agreement includes a rescission from the unobligated balance of the field automation and information management project for the Food Safety and Inspection Service.

Section 788.—The conference agreement includes a citation change to make funds available for international science and education grants.

Section 789.—The conference report includes language regarding the eligibility of Great Falls, Montana, for certain loans.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follows:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2003	$74,752,926
Budget estimates of new (obligational) authority fiscal year 2004	77,561,060
House bill, fiscal year 2004	77,386,274
Senate bill, fiscal year 2004	79,602,414
Conference agreement, fiscal year 2004	80,632,273
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2003	+5,879,347
Budget estimates of new (obligational) authority, fiscal year 2004	+3,071,213
House bill, fiscal year 2004	+3,245,999
Senate bill, fiscal year 2004	+1,029,859

DIVISION B—COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 2004

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The conferees recommend a total of $106,687,000 for General Administration, Salaries and Expenses, instead of $106,664,000 as proposed by the House and $116,171,000 as proposed by the Senate.

The conferees note that during fiscal year 2003, the Justice Department announced a number of new initiatives without consulting Congress, including creation of the Terrorist Threat Integration Center, the Terrorist Screening Center, and the Anti-Ter-

rorism Advisory Councils. These follow the proliferation of task forces, a massive and evolving reorganization of the Federal Bureau of Investigation, and various database initiatives in the previous fiscal year. No legislative proposals have been submitted to establish any of these entities; it is unclear what the long term funding needs associated with each of these will be; and most importantly, it is unclear what the overarching strategy is to reconcile each of these entities within the current structure of the Justice Department and blend them with other Federal law enforcement entities outside the Justice Department to ensure that law enforcement at all levels has the tools to effectively combat terrorism and protect citizens from traditional crimes. The conferees remain supportive of the Justice Department, and toward that end direct the Justice Department to submit with the fiscal year 2005 budget a rationalization of these various efforts with the goal of consolidating efforts to ensure that Federal law enforcement enhances its ability to prevent terrorist attacks and fight traditional crime.

The conference agreement adopts by reference House and Senate language providing an increase of $7,000,000 for the highest priority activities of the Chief Information Officer (CIO), as well as House language regarding a report on all existing and planned information technology sharing projects, and review and coordination of Justice Department information technology initiatives. The conferees will consider a reprogramming for information technology projects should additional funds be necessary. The conferees remain concerned with the proliferation of database initiatives and direct the Justice CIO to provide quarterly briefings. The conferees request the Justice CIO to submit a prioritized list of information technology projects to the Committees on Appropriations with the FY 2005 budget submission.

The conference agreement adopts by reference Senate language regarding funding for RFK building security needs. The conferees adopt by reference House language regarding corporate fraud and Native American gambling.

The conferees adopt by reference House language regarding the creation of a position to oversee Department of Justice activities with regard to civil rights. The conferees expect this position to be filled by a senior career official with specific knowledge and experience in civil rights. The conferees adopt by reference House language regarding posthumous award of Public Safety Officers Medal of Valor to the 414 public safety officers who perished on September 11, 2001. The conferees adopt by reference House language regarding a comprehensive review of all training programs for State and local law enforcement.

The conferees adopt by reference House and Senate language regarding the Justice Department's core financial management system and direct the Department to consider a cross-servicing arrangement with another Federal agency to provide these services rather than building a system of its own. A study of such a cross-servicing option and other options shall be submitted by March 1, 2004. The conferees will consider a reprogramming for these activities as necessary. The conferees adopt by reference House language regarding locks.

The conference agreement adopts by reference Senate language regarding quarterly briefings from the Office of Intelligence Policy and Review. The conferees do not adopt Senate report language regarding a study to consolidate Justice Department facilities out of the Washington, DC metropolitan area, but direct the Justice Department to submit a long-term plan for its facilities no later than June 15, 2004. The conferees do not include Senate language regarding transfer of the U.S. Marshals seized assets management program to General Administration.

The conferees direct the Justice Department to develop Memoranda of Understanding with the Department of Homeland Security and other appropriate Federal agencies regarding continued integration of fingerprint systems, automated booking capabilities, detention bed space needs, and transportation of prisoners.

The conference agreement modifies bill language proposed by both the House and the Senate regarding legislative affairs positions and workyears and associated funding levels.

JOINT AUTOMATED BOOKING SYSTEM

The conference agreement includes $19,176,000 for the continued operation of the Joint Automated Booking System (JABS), instead of $15,577,000 as proposed by the House and $23,176,000 as proposed by the Senate. The conference agreement adopts by reference Senate language regarding an increase of $3,200,000 for the deployment of JABS to the Bureau of Alcohol, Tobacco, Firearms and Explosives. The conferees direct the Justice Department to submit a proposal with the fiscal year 2005 budget to fund JABS out of the Assets Forfeiture Fund, if appropriate. The conferees adopt by reference House language regarding collaboration with other Federal law enforcement entities outside the Justice Department, and Senate language regarding a cost sharing fee proposal.

INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM

The conference agreement includes $5,100,000 for the planning, development, and deployment of an integrated fingerprint identification system. The House provided funding for these activities under the Identification Systems Integration account; the Senate did not fund this activity. The conferees adopt by reference House language regarding continued collaboration on integrating fingerprint systems. The Department is directed to consult with the Committees on Appropriations regarding the status of this program.

LEGAL ACTIVITIES OFFICE AUTOMATION

The conferees recommend $27,034,000 for Legal Activities Office Automation instead of $30,136,000 as proposed by the House and $66,240,000 as proposed by the Senate. The conference agreement adopts by reference House language regarding the Bureau of Prisons and the Office of Justice Programs, and Senate language regarding the U.S. Parole Commission. The conferees are willing to entertain a reprogramming from available balances should additional funds be necessary for continued deployment of this system. The conference agreement adopts by reference House language re-

garding costs and implementation milestones to complete convergence of these additional components onto the LAOA system. This report should include an expected final implementation date, and estimates for ongoing operations and maintenance costs for all components of the system.

NARROWBAND COMMUNICATIONS

The conference agreement includes $103,171,000 for Narrowband Communications as proposed by the House and the Senate. The conferees recognize that the Justice Wireless Management Office (WMO) has developed a plan to deploy interoperable radios to high priority locations as part of its overall plan to upgrade Federal law enforcement radio communications for the nation. The WMO may use available funding to augment state and local law enforcement interoperable radio communication systems as long as that equipment is necessary for the achievement of the overall WMO Federal radio interoperability plan. The conferees direct the WMO to consult with the Committees on Appropriations regarding this effort prior to obligating any funds. The conferees adopt by reference House language regarding funding that will be available to the Justice Department and direction to revise program requirements. The conferees also adopt by reference House language regarding submission of status reports as directed in Public Law 106–553, to include an operational plan for expenditure of funds. The conferees also direct the WMO to submit reports to the Committees on Appropriations regarding the ongoing pilots, deployment to high priority locations, and collaboration with other non-Justice Federal law enforcement agencies.

The conferees adopt by reference House language regarding emphasis on interoperable radios, and Project Safecom. The conferees do not include Senate language regarding a spending plan.

The conferees include House bill language regarding transfer of radio funds from Justice law enforcement accounts to this account.

COUNTERTERRORISM FUND

The conference agreement includes $1,000,000 for the Counterterrorism Fund as proposed by the House. The Senate did not fund this program. When combined with $20,000,000 in unobligated balances available in this account, a total of $21,000,000 will be available for obligation for fiscal year 2004 to cover unanticipated, extraordinary expenses as a result of a terrorist threat or incident.

ADMINISTRATIVE REVIEW AND APPEALS

The conference agreement includes $193,530,000 for Administrative Review and Appeals as proposed by the House instead of $194,111,000 as proposed by the Senate. The conferees adopt by reference Senate report language regarding submission of a report on the impacts of the Bureau of Immigration Appeals streamlining initiative on the Civil Division.

DETENTION TRUSTEE

The conference agreement includes $814,097,000 for the Detention Trustee instead of $810,125,000 as proposed by the House and instead of $849,876,000 as proposed by the Senate. The conferees adopt by reference House language regarding creation of a task force to better forecast detention needs; development of a Memorandum of Understanding with the Department of Homeland Security for their detention needs; and Senate language prioritizing extraditions. The conference agreement does not include Senate language regarding transfer of U.S. Marshals Service or Bureau of Prisons staff, or the Justice Prisoner and Alien Transportation System to the Detention Trustee. The conference agreement adopts by reference House and Senate language admonishing the Detention Trustee for attempting to address detention needs by contracting to construct a facility. The conferees underscore that any constructing, planning, supporting or contracting of new detention facilities is not an allowable use of funds provided under this account and directs the Detention Trustee to withdraw any solicitations for such activities.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $60,840,000 for the Office of Inspector General as proposed by the Senate instead of $56,245,000 as proposed by the House. The conferees adopt by reference House language regarding Department of Justice efforts to implement recommendations from the report on September 11th detainees.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $10,609,000 for the United States Parole Commission as proposed by the House instead of $10,718,000 as proposed by the Senate. The conferees adopt by reference House language regarding a study required under Public Law 107–273. The conferees adopt by reference Senate language regarding a report on the number of personnel detailed from the Department of Justice to the Commission.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement includes $620,533,000 for General Legal Activities as proposed by the House instead of $632,637,000 as proposed by the Senate. The distribution of funding provided is as follows:

General legal activities

[In thousands of dollars]

	2004 appropriation
Office of the Solicitor General	$7,973
Tax Division	77,141
Criminal Division	133,636
Civil Division	199,665

	2004 appropriation
Environment and Natural Resources Division	76,556
Office of Legal Counsel	5,679
Civil Rights Division	110,000
Interpol USNCB	9,524
Office of Dispute Resolution	359
Total	$620,533

The conferees remind the legal divisions that changes to these funding levels are subject to section 605 requirements in this Act.

The conferees adopt by reference House language regarding submission of a report to the Committees on Appropriations regarding efforts of the Criminal Division to prosecute corporate corruption. The conferees note that the Congress provided the U.S. Attorneys with an increase of $13,000,000 in the fiscal year 2003 appropriations act to aggressively prosecute corporate corruption. If additional funding is needed for these activities, the Committees on Appropriations will consider a reprogramming.

The conferees adopt by reference House funding levels for the Civil Division, including an increase of $2,671,000 for needs associated with immigration-related litigation. The conferees adopt by reference Senate language regarding cooperation between the Bureau of Immigration Appeals (BIA) and the Civil Division.

The conferees note that the Congress provided the Civil Division with $15,000,000 in Public Law 108–106 for needs associated with processing claims filed with the Special Master. The conferees adopt by reference House language regarding the September 11th Victims Compensation Fund. The conferees adopt by reference the $1,000,000 increase proposed by the House and the Senate and House language regarding absorption of additional requirements for processing RECA claims. The conference agreement adopts by reference House language regarding the provision of additional resources to the Civil Division, if emergent circumstances warrant, through transfers of funds from other Department of Justice sources, subject to the requirements of section 605 of this Act. The conferees expect the Justice Department to submit a reprogramming for costs associated with continuing tobacco and other litigation activities, should funding be warranted. The conference agreement also includes a transfer of $3,060,000 from the Working Capital Fund to the Environment and Natural Resources Division for Tribal Trust Fund litigation.

The conferees adopt by reference House language regarding efforts to combat trafficking in persons and enhanced coordination with State and local law enforcement. The conference agreement adopts by reference House funding levels for Interpol and House language regarding submission of a report on Interpol accomplishments and coordination with State, local, and Federal law enforcement.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The conference agreement includes a reimbursement of $4,028,000 for fiscal year 2004 from the Vaccine Injury Compensation Trust Fund to the Department of Justice, as proposed by the House and the Senate.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The conference agreement includes $133,133,000 for the Antitrust Division, instead of $128,133,000 as provided by the House and $141,898,000 as provided by the Senate.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement includes $1,526,253,000 for the U.S. Attorneys as proposed by the House instead of $1,507,879,000 as proposed by the Senate. The conferees adopt by reference House language regarding cybercrime and intellectual property enforcement, and submission of a report regarding the number, type, and location of copyright prosecutions undertaken in the preceding year. The conferees adopt by reference House language regarding consolidation of the U.S. Attorneys Task Forces with the Joint Terrorism Task Forces.

Of the amounts made available to the U.S. Attorneys, $6,898,000 shall be available for Project Seahawk instead of $10,000,000 as proposed by the Senate to address criminal activity that may compromise or impede the movement of intermodal traffic within the U.S. Project Seahawk shall continue to be coordinated under the U.S. Attorneys and include Federal, State, and local law enforcement. The House did not fund this activity. In addition to the amounts available in this account, an additional $15,000,000 is provided elsewhere in this title. The conferees do not adopt Senate language regarding expansion of this initiative.

The conferees adopt by reference Senate language including $1,500,000 for Operation Streetsweeper and $19,023,000 for legal education and distance learning at the National Advocacy Center. The conferees do not adopt Senate language regarding submission of a report on rates of prosecution, but instead direct the Justice Department to brief the Committees on Appropriations on this issue.

The conferees adopt by reference House and Senate language regarding cybercrime and intellectual property enforcement.

UNITED STATES TRUSTEE SYSTEM FUND

The conference agreement includes $166,157,000 as provided by the House instead of $170,168,000 as provided by the Senate. In addition, the Trustees may use unobligated balances from prior year appropriations to fund additional base and information technology costs, if necessary. The conferees support the requested information technology enhancement and expect the Trustees to fund the request to the maximum extent feasible. The conference agreement includes $1,000,000 for the Bankruptcy Training Center at the National Advocacy Center in support of the Trustees' continuing education program.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The conference agreement includes $1,206,000 for the Foreign Claims Settlement Commission instead of $1,205,000 as proposed by the House and $1,207,000 as proposed by the Senate. The conferees adopt by reference House language regarding a report on the

number of claims adjudicated on behalf of U.S. nationals against foreign governments.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

The conference agreement includes $719,777,000 for the U.S. Marshals Service (USMS), instead of $678,672,000 as provided by the House and $602,274,000 as provided by the Senate. The conference agreement includes funding for the Witness Security program as provided by the House. The conference agreement provides funding for the D.C. Superior Court and fugitive apprehension task forces under this heading as proposed by the Senate instead of under the Office of Justice Programs as proposed by the House. The conference agreement does not transfer funding for the Justice Prisoner and Alien Transportation System to the Office of Detention Trustee or transfer the seized assets management responsibilities to the Justice Management Division as proposed by the Senate but directs the Department of Justice to submit a report on the potential impact of such transfers to the Committees on Appropriations not later than March 15, 2004. The conference agreement provides funding for USMS construction under a separate heading, as proposed by the Senate. The conference agreement includes the base reductions and crosscutting efficiencies included in the budget request and the House report and the funding level provided in the House report for hand/leg cuffs and vehicles.

Courthouse Security Equipment.—The conference agreement includes $13,394,000 for courthouse security equipment to be allocated to the USMS's highest priority needs. The USMS is directed to report to the Committees on Appropriations within 30 days of enactment of this Act on the allocation of this funding. The conferees expect future budget requests to provide an appropriate level of funding to address the courthouse security equipment needs of the USMS.

Fugitive Apprehensions.—The conference agreement includes $11,476,000 for all costs related to the regional task forces located in New York City, Los Angeles, Chicago, and Atlanta. Of that amount, $2,000,000 shall be for a new regional task force in the District of Columbia metropolitan area and $300,000 shall be for a task force in Billings, Montana.

These regional fugitive task forces [RFTFs] are full time initiatives, not ad hoc activities and shall answer only to headquarters, not the districts, as is already the case with the New York City and Los Angeles task forces. The USMS is directed to report to the Committees on Appropriations not later than April 30, 2004, on the accomplishments recorded by the RFTFs and to make recommendations based on workload projections on whether and where additional RFTFs should be created.

The conferees are concerned with the apparent duplication of fugitive apprehension capabilities among Federal law enforcement agencies. The conferees direct that the Department of Justice submit a comprehensive report to the Committees on Appropriations within 45 days of enactment of this Act describing all Department of Justice fugitive apprehension activities and identifying opportunities to consolidate these activities under the one agency that is best trained and equipped for fugitive apprehension. The conferees

hope to improve the Department's fugitive apprehension capabilities and more efficiently utilize Federal law enforcement resources.

In addition, the conference agreement includes $8,451,000 for all costs related to the electronic surveillance unit.

International fugitives.—The conference agreement includes $3,016,000 for all costs related to the USMS international offices in Jamaica, the Dominican Republic, and Mexico.

Special Operations Group.—The conference agreement includes $1,473,000 for training and equipment for the Special Operations Group. The USMS shall submit a spending plan for such funds to the Committees on Appropriations not later than January 15, 2004.

Protection of the Judicial Process.—The conference agreement includes $10,738,000 for 100 new positions to address shortfalls in the protection of the judicial process. These positions are to be allocated to those districts with the highest priority needs.

CONSTRUCTION

The conference agreement includes $14,066,000 for this account instead of no funding as proposed by the House and $25,964,000 as proposed by the Senate. These funds shall be allocated to the USMS's highest priority construction needs. The USMS is directed to report to the Committees on Appropriations within 30 days of enactment of this Act on the allocation of funding for this program. The conferees expect future budget requests to provide an appropriate level of funding to address the construction needs of the USMS.

FEES AND EXPENSES OF WITNESSES

The conference agreement includes $156,145,000 for Fees and Expenses of Witnesses as proposed by the House and the Senate. The conference agreement includes new bill language regarding additional funding for protected witness safesites.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The conference agreement includes $9,526,000 for the Community Relations Service as proposed by both the House and the Senate. The conference agreement adopts by reference House and Senate language providing that the Attorney General may transfer, subject to section 605 reprogramming requirements, up to $1,000,000 to this program from balances available to the Department of Justice upon a determination that emergent circumstances warrant additional funding.

ASSETS FORFEITURE FUND

The conference agreement includes $21,759,000 for the Assets Forfeiture Fund as proposed by the House instead of $22,949,000 proposed by the Senate.

FEDERAL BUREAU OF INVESTIGATION

The conference agreement includes a total of $4,639,569,000 for the Federal Bureau of Investigation (FBI) as proposed by the House instead of $3,930,780,000 as proposed by the Senate. Of this amount, not less than $490,104,000 as proposed by both the House

and the Senate shall be used for counterterrorism investigations, foreign counterintelligence, and other activities related to national security.

Strategic Growth.—Since the terrorist attacks on September 11th, 2001, the FBI has shifted its main focus from investigating crimes to preventing acts of terrorism. Inherent in this transformation is a greater emphasis on collection, management, and analysis of data and intelligence, and greater collaboration across all levels of law enforcement. The urgency to prevent acts of terrorism has required the infusion of substantial resources, with the FBI growing by over 50 percent in just three years. The conferees believe the FBI should thoughtfully absorb this massive infusion of personnel and capital through strategic long-term decisions, and therefore direct the FBI to submit a five year plan to the Committees on Appropriations not later than March 15, 2004, detailing the FBI's plan to succeed at its terrorism prevention and law enforcement responsibilities, including proposed agent and support personnel levels for each division. This review should also include long term capital improvement and infrastructure plans, training needs, and a review of current and future information technology programs to ensure that the FBI can better leverage technology.

SALARIES AND EXPENSES

The conference agreement includes $4,566,798,000 for the Federal Bureau of Investigation salaries and expenses account instead of $4,576,730,000 as proposed by the House and $3,885,989,000 as proposed by the Senate. The conferees adopt by reference House language on resource allocations within the FBI and bi-annual submission of the Time Utilization and Record Keeping report. The conferees adopt by reference House language regarding reprogramming requirements in section 605 of this Act.

FBI SALARIES AND EXPENSES

[Dollars in thousands]

Activity	POS	FTE	Amount
Criminal, Security and Other Investigations:			
Organized Crime Enterprises	3,145	2,995	$440,750
White Collar Crime	4,204	4,066	545,495
Other Field Programs	13,451	12,462	1,916,533
Subtotal, Criminal, Security and Other Investigations	20,800	19,523	2,902,778
Law Enforcement Support:			
Training and Recruitment	942	917	153,724
Forensic Services	749	725	179,623
Information Technology	396	383	252,578
Technical Field Support and Services	772	727	483,074
Criminal Justice Services	1,871	1,882	209,924
Subtotal, Law Enforcement Support	4,730	4,634	1,278,923
Program Direction and Administration	2,700	2,604	385,097
Total, Direct Appropriations	28,230	26,761	4,566,798

The conferees remind the FBI that any changes to this distribution are subject to the reprogramming requirements in section 605 of this Act.

Counterterrorism and Counterintelligence.—The conference agreement includes increases of $212,269,000, 1,665 positions and 831 workyears to enhance ongoing counterterrorism and counterintelligence activities. Of this amount, the conferees adopt by reference House and Senate increases of $6,548,000 for joint terrorism task forces; $14,603,000, 214 positions and 107 workyears for counterterrorism analytical support, and $28,046,000, 248 positions and 124 workyears for counterterrorism field investigations; and $29,985,000, 47 positions and 24 workyears for STAU operations. In addition, the conferees adopt by reference House funding increases of $31,391,000 for counterterrorism program management; $4,600,000 for communications applications; $33,087,000 for expansions in the Legal Attaché program; and House increases for counterintelligence and computer intrusion programs. The Committees on Appropriations are concerned that additional resources and staff provided for the Legal Attaché program are not being implemented as expeditiously as possible, and direct the FBI to consult with the Committees on Appropriations regarding this program. The conferees adopt by reference House and Senate language regarding a right-sizing review of the Legats. The conferees also provide language regarding increases in representational allowances.

Cyber Capabilities.—The conferees adopt by reference House language regarding a review by the Executive Assistant Director for Administration of information technology products and activities of the cyber division.

Hazardous Devices School.—The conferees are aware of the concerns of the FBI regarding the transfer of the Hazardous Devices School to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The conferees point out that the vast majority of explosions (more than 95 percent) occurring in the United States are not related to terrorism and are usually investigated and prosecuted at the State and local level. However, the conferees are willing to accept a proposal from the Department of Justice to merge and rationalize overlap for explosives training between the ATF, the FBI, and other law enforcement entities in the Justice Department. Toward that end, the conferees direct the Justice Department to submit, as part of its fiscal year 2005 budget submission, a proposal to better blend and eliminate duplication of explosives training and other law enforcement programs at the Department of Justice.

Organized Crime Enterprises.—The conference agreement includes increases of $33,943,000 for criminal investigations and white collar crime investigations. Of this, the conferees adopt by reference House and Senate increases of $14,603,000, 214 positions and 107 workyears for criminal investigative analytical support, and increases of $10,000,000 for corporate fraud investigations and $10,000,000 for other priority criminal investigations as recommended by the House. The conferees adopt by reference House language regarding investigations that cross jurisdictions and House language regarding submission of a report on corporate corruption.

Training.—The conferees adopt by reference House and Senate increases of $14,027,000 for counterterrorism training, and the House increase of $5,000,000 for intelligence analysis training. The conferees adopt by reference House language regarding the College of Analytical Studies at Quantico, as well as the continuing education program for senior FBI agents and support staff and consultation with the Navy, as appropriate, regarding their advanced training programs. The conferees adopt by reference House language regarding concern about the language program. The FBI shall provide quarterly briefings to the Committees on Appropriations regarding the language program beginning March 2004. The conference agreement also includes an increase of $2,692,000 included by the House for nuclear DNA services, and increases of $1,000,000 for protocol training and $591,000 for the foreign convicted offender program as proposed by the Senate. The conferees adopt by reference House language regarding lapses in the FBI Laboratory DNA Analysis program, and direct the FBI to ensure that additional training and safeguards are implemented to ensure that analysis performed at the new lab is unquestionable.

Field Support for Information Management and Lead Management.—The conferees adopt by reference House increases of $4,977,000, 100 positions and 50 workyears for field clerical support, to be distributed to the highest priority locations.

FBI Reorganization.—The conference agreement adopts by reference House language regarding the FBI reorganization. The conferees adopt by reference House language regarding standardization and rationalization of FBI training programs.

The conferees also adopt by reference House and Senate language regarding a review of response capabilities.

Aviation assets.—The conferees are aware that the FBI aviation program has sought additional air assets. The conferees remind the FBI that it has previously been directed to provide a comprehensive needs assessment of the aviation program. The Committees on Appropriations will entertain funding increases for these programs in the context of a regular budget submission and priorities established by the Director, and pending an analysis of the existing aviation program.

The conferees adopt by reference House language regarding submission of an assessment of mobile command centers and the VITAL program.

Information Technology.—The Congress has provided the FBI with nearly $595,000,000 for Trilogy, some $216,000,000 more than the original cost estimate, to both speed implementation and enhance the overall capabilities of the program. The Committees on Appropriations are concerned that the basic software needed to operate the Virtual Case File is not ready to be deployed, causing another slip in schedule. The conferees stress the importance of deploying this program as expeditiously as possible, and direct the Trilogy Program Manager and Department of Justice CIO to continue to provide regular briefings on Trilogy in addition to providing the quarterly written reports. The conference agreement adopts by reference House and Senate funding increases of $92,736,000 for refreshment needs, operations and maintenance. The conferees also adopt by reference House language regarding

submission of a review of the FBI's databases, with the goal of removing applications that have outlived their usefulness. The conferees adopt by reference House language regarding submission of a comprehensive information technology report, to include a complete list of all information technology projects; the stage of each project's development and deployment; base funding for each project, to include all sources of funding; and the outyear cost projections for each project, including recurring requirements for operations and maintenance. The conferees also adopt by reference House language regarding submission of a report on Operation Gateway.

Technical Field Support.—The conference agreement adopts by reference House and Senate funding increases of $9,542,000 for physical surveillance programs; $18,040,000 for computer assisted teams and the regional computer forensic labs; $14,984,000 for the crisis response unit; and $2,000,000 for the defensive programs unit. In addition, the conference agreement includes the following increases to properly recur funding for critical programs as proposed by the Senate: $2,680,000 for computer intrusion activities; $6,266,000 for aviation support; $10,000,000 for training; and $2,500,000 for mitochrondrial DNA programs.

Criminal Justice Information System (CJIS).—The conference agreement includes $357,000,000, including fee collections, for CJIS, and adopts Senate language prohibiting the diversion of the CJIS user fee for any purpose other than CJIS, its refreshment plan, or a subsequent modernization plan for the current facility.

Security Programs.—The conferees adopt by reference House and Senate funding levels of $5,050,000 for background investigations; $1,405,000 for the National Security Law Unit; and $6,419,000 to expand polygraph tests; and House funding levels of $6,888,000 for technical and physical security and $15,821,000 for police force and guard services. The conferees also include $10,000,000 for records management activities.

Trafficking.—The conferees adopt by reference House language regarding efforts to combat human trafficking.

FBI Tour.—The conferees adopt by reference House language regarding the FBI tour.

In addition to the amounts provided in this act, the conference agreement also approves of the following increases from funding provided to the FBI in Public Law 108–11:

FY 2003 Emergency Wartime Supplemental Appropriations Act, P.L. 108–11

Activity	*Conf*
Terrorist Screening Center	5,000
Rapid Deployment	850
HRT/SWAT/WMD response capabilities	6,127
Response Capabilities	32,717
CT Program Mgmt	14,192
CT Field Investigations	56,505
NSLU	5,035
Operational Field Expenses	18,999
Language Translation	40,000
Surveillance Support	13,774
IT/Sharing/LEO/TSSCI LAN	45,000
Communications Analysis/Doc Ex	20,293
Lab wiring	7,700
Tactical Operations and Collections	5,000

FY 2003 Emergency Wartime Supplemental Appropriations Act, P.L. 108–11—Continued

Activity	*Conf*
Terrorist financing	5,000
Cybercrime	5,000
Subtotal	281,192
TTIC	86,000
Total	367,192

FOREIGN TERRORIST TRACKING TASK FORCE/TERRORIST THREAT INTEGRATION CENTER

The conferees adopt House language providing $61,597,000 for the Foreign Terrorist Tracking Task Force (FTTTF). The conferees adopt by reference House language regarding the need to better coordinate information technology activities of the FTTTF with similar activities elsewhere in Justice, and House language regarding FTTTF technology initiatives and other activities. The conferees do not include Senate language shifting this activity outside of the Justice Department.

Terrorist Threat Integration Center.—The conference agreement includes new bill language formalizing the coordination between the FBI and the Terrorist Threat Integration Center (TTIC). The conferees adopt by reference House language regarding efforts to integrate intelligence analysis capabilities at the TTIC and the specifics of the relocation of the FBI's Counterterrorism Division to the joint facility.

CONSTRUCTION

The conference agreement includes $11,174,000 for FBI construction, instead of $1,242,000 as proposed by the House and $44,791,000 as proposed by the Senate. Of this amount, the conferees adopt by reference Senate funding levels for the Engineering Research Facility. This activity was not addressed by the House.

DRUG ENFORCEMENT ADMINISTRATION

The conference agreement includes a total of $2,157,792,000 for the Drug Enforcement Administration (DEA) as proposed by the House instead of $1,512,281,000 as proposed by the Senate. The conferees adopt by reference the transfer of the Interagency Crime and Drug Enforcement program as proposed by the House.

SALARIES AND EXPENSES

The conference agreement includes $1,601,327,000 for the DEA salaries and expenses account as proposed by the House instead of $1,512,281,000 as proposed by the Senate. The conferees adopt by reference House language regarding prior year recoveries, and direct the DEA to submit a reprogramming request within 45 days of enactment of this act to accommodate lab enhancements, information technology investments, and other one-time funding needs.

DEA SALARIES AND EXPENSES

[Dollars in thousands]

Activity	POS	FTE	Amount
Enforcement:			
Domestic Enforcement	2,728	2,561	$546,165
Foreign Cooperative Investigations	653	621	208,199
Drug and Chemical Conversions	190	177	23,507
State and Local Task Forces	1,619	1,527	240,808
Subtotal, Enforcement	5,190	4,886	1,018,679
Investigative Support:			
Intelligence	976	983	129,294
Laboratory Services	466	456	72,856
Training	99	98	24,903
Research, Engineering, and Technical Operations	596	591	122,266
Information Technology	126	122	138,976
Subtotal, Investigative Support	2,263	2,250	488,295
Management and Administration	905	882	94,353
Total, Direct Appropriations	8,358	8,018	1,601,327
Division Control Fee Account	793	789	118,561
Total, Budget Authority	9,151	8,807	1,719,888

The DEA is reminded that any changes to this distribution are subject to the reprogramming requirements in section 605 of this Act.

Additional Drug Enforcement Agents.—The conference agreement adopts by reference House funding levels of $46,274,000 above the request to support additional agents and support staff. The conference agreement adopts by reference House funding levels for the Mobile Enforcement Teams, Senate funding levels for the Regional Enforcement Teams and the Demand Reduction Program, and directs the DEA to consolidate Demand Reduction activities and the IDEA program into one coordinated demand reduction program. The conferees adopt by reference House language on cooperative agreements with State and local law enforcement. The conference agreement adopts by reference Senate language regarding a report on Mexican training programs and Senate language regarding funding for international training. The conferees direct the DEA to submit a report to the Committees on Appropriations regarding international training programs and interdiction efforts. This report should be developed in consultation with the Department of Defense, the State Department and other Federal agencies.

The conferees adopt by reference House language regarding submission of a report on source and transit countries.

OxyContin.—The conferees adopt by reference House language regarding legal drugs that are diverted for illegal use, particularly the prescription drug OxyContin. The conferees adopt by reference House language regarding development of a prescription drug monitoring program, and continued coordination with the Office of Justice Programs.

Methamphetamines.—The conferees adopt by reference House language regarding methamphetamines, and continued support of State, local, and Federal law enforcement programs.

Ecstasy.—The conferees adopt by reference House language regarding the illegal importation of ecstasy and other "club drugs."

DEA Training.—The conferees direct the DEA and the FBI to explore continued integration of analytical training programs given the nexus between drugs and terrorism.

Operation Containment.—The conferees amend House language regarding regular briefings for Operation Containment, and direct the DEA to provide quarterly updates to the Committees on Appropriations, with written reports to be submitted yearly with the first such report to be submitted May 1, 2004.

Drug Diversion Control Fee Account.—The conference agreement includes $118,561,000 for the DEA's Drug Diversion Control Program as proposed by the House instead of $91,499,000 as proposed by the Senate. The conferees adopt by reference House language regarding an increase of $6,882,000 to enhance the Internet Online Investigations Project, and development and deployment of a system to enable on-line transfers of prescriptions from doctors to pharmacies.

Additional Drug Investigative Positions.—The conferees adopt by reference House language regarding use of expected fee increases to support additional staff to address the diversion of controlled substances, particularly OxyContin. The conferees adopt by reference House language regarding deployment of additional positions to the highest priority locations.

The conference agreement includes Senate bill language regarding demand reduction activities.

INTERAGENCY DRUG ENFORCEMENT

The conference agreement adopts by reference House language consolidating under the DEA drug enforcement activities previously included under the Interagency Crime and Drug Enforcement account. The conferees include funding as proposed by the House for the continued participation of the Departments of Homeland Security and Treasury. The Senate did not propose funding for these non-Justice agencies. The conferees support law enforcement efforts to fight illegal drug activity, and therefore have provided funding for each agency involved in these task forces. However, the conferees do not expect to provide funding for non-Justice agencies in subsequent years.

The conference agreement includes $556,465,000 for the Interagency Drug Enforcement account as proposed by the House instead of $415,010,000 as proposed by the Senate.

REIMBURSEMENT BY AGENCY

[Dollars in thousands]

	POS	FTE	Amount
Law Enforcement:			
DEA	1,304	1,228	$168,539
FBI	806	780	114,700
INS	117	117	16,674
USMS	13	13	2,148
ATFE	54	54	11,483
IRS	494	476	73,301
Customs	270	270	31,154
Coast Guard			625

REIMBURSEMENT BY AGENCY—Continued

[Dollars in thousands]

	POS	FTE	Amount
Drug Intelligence:			
DEA	50	38	6,392
FBI	184	159	21,521
Prosecution:			
U.S. Attorneys	965	886	100,699
Criminal Division	18	18	2,717
Tax Division	10	8	995
Administrative Office	14	14	5,517
Total	4,299	4,061	556,465

Drug Intelligence Fusion Center.—The conferees direct the DEA to transfer to this account existing balances previously provided to the DEA to develop the Drug Intelligence Fusion Center. The conferees expect that this multi-agency drug intelligence capability will be developed and managed within this account. The conference agreement adopts by reference House language regarding participating agencies, protocols for sharing information, and expected ongoing operations and maintenance funding costs. This report should include a justification of all information technology programs taking place at the Special Operations Division as well as recommendations for utilizing information platforms, such as the FBI's Operation Gateway. The conferees also adopt by reference House language regarding rationalization of drug intelligence collection and analysis entities. The conferees adopt by reference House language directing that the Department of Justice and FBI Chief Information Officers review this program to ensure maximum collaboration and exploitation of information.

Targeting Command and Control.—The conferees adopt by reference House language regarding efforts to refocus this program on the highest level national and international drug trafficking organizations. The recommendation includes an increase of $23,127,000, 151 positions and 76 FTE to expand investigations of these major command and control targets. In addition, $3,461,000 is provided to the U.S. Attorneys to ensure successful prosecution of targets.

The conference agreement adopts by reference House language regarding continued FBI involvement in drug investigations, and includes an increase of $8,000,000, 53 positions and 27 workyears above the request to maintain the FBI's participation. The conferees expect that these additional resources will enable the Federal government to aggressively pursue links between terrorists and drug organizations.

Financial Investigations.—The conferees adopt by reference House increases of $5,631,000, 37 positions and 19 FTE for money laundering activities, particularly offshore accounts that can be difficult to track, and House funding increases of $2,805,000 for U.S. Attorneys' participation.

Drug Intelligence.—The conferees adopt by reference House language regarding additional analytical support needed to ensure that information collected as part of multi-agency drug investigations is thoroughly referenced against other criminal databases and other ongoing investigations, particularly with regard to terrorist

organizations, and adopts by reference House funding increases of $3,764,000 for the DEA and $7,528,000 for the FBI to increase analytical capacity. The conferees direct the DEA to consult with the Committees on Appropriations prior to distributing these resources, and expects that these resources will support efforts of the Special Operations Division and the Drug Intelligence Fusion Center.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The conference agreement includes $836,087,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), instead of $831,199,000 as proposed by the House, and $829,593,000 as proposed by the Senate.

The conference agreement adopts, by reference, the House language regarding the mission of the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Gang Resistance Education and Training program under this heading, the Safe Explosives Act, and the Youth Crime Gun Interdiction Initiative.

The conference agreement includes $10,000,000 to implement the Safe Explosives Act and $4,000,000 to upgrade databases and systems, space alterations, and other costs related to creating the National Explosives Licensing Center [NELC] at the Bureau of Alcohol, Tobacco, Firearms and Explosives National Tracing Center.

The conference agreement adopts, by reference, language proposed by the Senate regarding the Safe Explosives Act, the National Explosives Licensing Center, and Overseas Offices.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The conference agreement includes $4,461,257,000 for the salaries and expenses of the Federal Prison System as proposed by the House, instead of $3,872,791,000 as proposed by the Senate. The conferees understand that this level of funding will be adequate to open the following prisons on time and continue operations at existing prisons, but direct the Justice Department to submit a reprogramming should additional resources be necessary. The conferees also note that base funding of $41,000,000 shall be provided for FCI Beckley, West Virginia and $41,600,000 shall be provided for FCI Glenville, West Virginia. The conferees include activation funding as follows:

Activations	
Victorville, CA USP	$35,562,000
Hazelton, WV USP	40,587,000
Forrest City, AR facility	33,807,000
Herlong/Sierra, CA medium camp	36,092,000
Williamsburg, SC FCI	33,123,000
Canaan, PA USP	35,552,000
Terre Haute, IN USP	8,439,000
Bennettsville, SC FCI	10,532,000
Yazoo, MS FCI	23,331,000
	$257,025,000

Contract Confinement.—The conferees adopt by reference House language regarding an increase of $12,900,000 for contracts

to accommodate the increasing prison population. The conferees adopt by reference House and Senate language regarding use of excess State and private prison capacity to meet bedspace needs, if these facilities meet Bureau of Prison (BOP) standards. The conferees adopt by reference the House increase of $3,000,000 to support BOP's transitional drug treatment program and submission of a report about BOP drug treatment programs, and House language regarding use of visible eye-safe lasers for marksmanship training.

With funds provided in earlier appropriations acts, the National Institute of Corrections has provided training and technical support to correctional systems throughout the country to eliminate staff sexual misconduct with inmates, in providing training in investigating cases, and in training "trainers" in order that employees at every level will be better able to handle these cases. The conferees direct BOP to report to the Committees on Appropriations by March 31, 2004 on progress made in this area.

The conferees understand the Center for Disease Control and Prevention has recently recommended testing all prisoners with a history of injection drug use or other risk factors for the Hepatitis B and C viruses and that those showing signs of liver disease be assessed by hepatitis specialist to determine treatment. These recommendations reflect a concern that high rates of infection in the prison population lead to public health impacts as these prisoners are released back into the general population. The conferees request that the BPP report to the Committees on Appropriations within six months regarding progress in implementing its planned screening program, including the number of inmates screened and the treatment adopted.

The conference agreement does not include bill language proposed by the Senate designating specific amounts for decision units.

BUILDINGS AND FACILITIES

The conference agreement includes funding of $397,700,000 for construction, modernization, maintenance and repair of prison and detention facilities housing Federal prisoners instead of $202,840,000 as proposed by the House and $345,805,000 as proposed by the Senate. The conferees continue to expect that all current construction projects will proceed as planned.

New construction, modernization and repair

Berlin, New Hampshire, FCI medium	$154,500,000
Mid Atlantic, West Virginia	40,300,000
Modernization and repair	202,900,000
	$397,700,000

FEDERAL PRISON INDUSTRIES, INCORPORATED

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES INCORPORATED

The conference agreement adopts House and Senate language regarding a limit on administrative expenses of $3,429,000 for Federal Prison Industries, Incorporated. The conferees adopt by ref-

erence House language regarding the Federal Prison Industries, Inc., program.

OFFICE OF JUSTICE PROGRAMS

The conference agreement provides $3,095,017,000 for State and local law enforcement grants instead of $3,491,261,000 as proposed by the House and $2,630,637,000 as proposed by the Senate. The amount provided is $763,785,000 above the Administration's request.

The conferees adopt by reference the House report language concerning the coordination of programs with other Federal agencies and requiring the Department to submit a report to the Committees on Appropriations by June 1, 2004, describing its efforts to coordinate programs. The conference agreement adopts by reference the House report language regarding training for local law enforcement officials on the penalties prescribed in the Federal law for trafficking in persons and requiring the Department to submit a spending plan for expanding this training.

JUSTICE ASSISTANCE

The conference agreement includes $190,125,000 for Justice Assistance. The conferees do not adopt the Administration's proposal to consolidate all Office of Justice Programs (OJP) activities under this heading. The table below displays the conference agreement compared to the request for programs funded under this heading and compared to the amounts provided in the House and Senate bills.

[$ in 000's]

Program	Enacted	Request	House	Senate	Conference
National Institute of Justice	59,490	73,301	59,000	50,000	48,000
Bureau of Justice Statistics	32,125	35,085	33,731	25,000	32,125
Nat. White Collar Crime	9,170	.....	4,500	.....	9,000
Regional Inf. Sharing Sys.	28,812	36,448	35,000	29,000	30,000
Management and Admin.*	37,753	119,638	40,000	.....	35,000
Missing Children Program	32,633	30,669	36,900	32,500	36,000
Total	199,983	.....	209,131	136,500	190,125

*Senate bill included M&A under a separate heading.

National Institute of Justice (NIJ).—The conference agreement provides $48,000,000 for the National Institute of Justice. The conference agreement provides $21,000,000 for the National Law Enforcement and Corrections Technology Centers and incorporates by reference the Senate language concerning the distribution of funding. The agreement also includes $17,000,000 for other Office of Science and Technology (OS&T) activities. Within this amount, NIJ shall continue to fund the Office of Law Enforcement Technology Commercialization, Inc., and the Center for Rural Law Enforcement Technology and Training at the fiscal year 2003 level. The conferees support NIJ's efforts to develop through-wall motion mapping.

The conference agreement includes $10,000,000 for discretionary activities of which not less than $6,000,000 shall be for social science research and evaluation.

Missing Children.—The conference agreement includes $36,000,000 for the Missing Children Program for the following purposes:

MISSING CHILDREN PROGRAM

Program ($000)	FY 03 enacted	FY 04 request	FY 04 House	FY 04 Senate	FY 04 conference
National Center for Missing and Exploited Children	12,419	12,419	14,000	17,000	15,000
Jimmy Ryce Law Enforcement Training Center	2,980	3,000	3,000	3,000	3,000
Internet Crimes Against Children Task Force	12,419	12,500	12,500	12,500	12,500
MEC Office	2,331	2,269	2,400	.....	1,500
AMBER Alert Grants	2,484	2,500	5,000	.....	4,000
Total	32,633	32,688	36,900	32,500	36,000

OJP shall utilize the AMBER program funds in accordance with the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003. Within the funding provided, the National Center for Missing and Exploited Children shall continue the successful CyberTipline program, continue the Police Technology Project (LOCATER), and expand the NetSmartz Workshop as described in the Senate report.

Regional Information Sharing System.—The conference agreement provides $30,000,000 for the Regional Information Sharing System (RISS). The conferees direct the Department to ensure that inter-state information sharing systems funded by OJP and COPS utilize the existing communications infrastructure and are compatible with RISS and LEO.

Management and Administration.—The conference agreement provides $35,000,000 for the management and administration of the OJP. The Conferees are disappointed that several reports requested in the fiscal year 2003 conference report have not been submitted. The Conferees expect better communications to be provided not only to Congress but to their grantees and subgrantees. The Conferees believe that improved communication is extremely important in improving service to State and local law enforcement agencies.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The conference agreement provides a total appropriation of $1,297,684,000. The table below displays the funding provided in the conference agreement compared to the level of funds requested under the Justice Assistance heading for similar activities and compared to the levels provided in the House and Senate bills.

($'s in 000's)

	FY 03 enacted	FY 04 request	FY 04 House	FY 04 Senate	FY 04 conf.
Local Law Enforcement Block Grant	$397,400	.....	$400,000	$150,000	$225,000
(Boys and Girls Club)	(79,480)	.....	(80,000)	(80,000)	(80,000)
(USA Freedom Corps)	(2,981)	.....	(5,000)	.....	(2,981)
(National Institute of Justice)	(19,870)	.....	(20,000)	.....	(10,000)
State Criminal Alien Assistance	248,375	.....	400,000	250,000	300,000
Cooperative Agreement Program	4,968	.....	2,500	.....	2,000
Indian Assistance	17,883	4,436	13,000	18,000	15,000
(Tribal Prison Construction)	(4,968)	.....	.....	.....	(2,000)

($'s in 000's)

	FY 03 enacted	FY 04 request	FY 04 House	FY 04 Senate	FY 04 conf.
(Indian Tribal Courts Program)	(7,948)	.....	(8,000)	.....	(8,000)
(Alcohol and Substance Abuse)	(4,967)	(4,436)	(5,000)	.....	(5,000)
Edward Byrne Law Enf. Assistance	646,683	.....	615,000	588,575	659,117
(Formula Grants)	(496,750)	.....	(500,000)	(500,000)	(500,000)
(Discretionary Grants)	(149,933)	.....	(115,000)	(88,575)	(159,117)
USA Freedom Corps	.....	14,669	.....	.....	.....
Justice Assistance Grants	.....	585,990	.....	.....	.....
(Boys and Girls Club)	.....	(60,000)	.....	.....	.....
(Indian Tribal Courts Program)	.....	(5,921)	.....	.....	.....
(National Institute of Justice)	.....	(19,956)	.....	.....	.....
Violence Against Women Grants	387,629	373,487	.....	406,000	.....
Victims of Trafficking Grants	9,935	.....	10,000	.....	10,000
State Prison Drug Treatment	64,577	74,233	70,000	.....	.....
Drug Courts	44,708	64,360	55,000	43,500	38,500
Juvenile Crime Block Grant	188,765	.....	.....	.....	.....
(Project ChildSafe)	(24,838)	.....	.....	.....	.....
Prescription Drug Monitoring	7,451	.....	10,000	.....	7,000
Prison Rape Prevention	12,915	.....	60,000	.....	37,175
Terrorism Prevention Training	14,902	.....	.....	.....	.....
Other Crime Control Programs:					
State and Local Training	.....	3,907	1,000	.....	1,000
Missing Alzheimer's Patients	892	.....	892	500	892
Law Enforcement Family Support	1,487	.....	1,487	1,000	.....
Motor Vehicle Theft Prevention	1,292	.....	.....	1,500	.....
Seniors Vs. Marketing Scams	1,982	.....	1,982	2,000	2,000
Prior Year Balances	(20,854)	(11,622)	.....	.....	.....
Total, State and Local Assistance	2,030,990	.....	1,640,861	1,461,075	1,297,684

State Criminal Alien Assistance Program.—The conference agreement provides $300,000,000 for the State Criminal Alien Assistance Program instead of $400,000,000 as provided by the House and $250,000,000 as provided by the Senate. The Administration proposed eliminating this program. The conference agreement includes bill language directing funds to be disbursed only as a direct reimbursement for each States' documented costs for incarcerating undocumented criminal aliens.

Indian Country Grants.—The recommendation provides $15,000,000 for Indian Country grants. The conferees understand that the Comprehensive Indian Resources for Community Law Enforcement (CIRCLE) initiative is working well. The conferees urge the Department to consider ways to expand the CIRCLE project into other communities.

Edward Byrne Grants to States.—The conference agreement includes $659,117,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which $159,117,000 is for discretionary grants and $500,000,000 is for formula grants.

Within the amount provided for Byrne formula grants, the conferees ask Governors and relevant State and local officials to review the following proposals and provide a grant if warranted: Arkansas Methamphetamine Lab Project, Criminal Justice Institute; Barron-Rusk County, Wisconsin Drug Task Force; Caddo Parish, Louisiana Methamphetamine Enforcement; COPS Methamphetamine Drug Hot Spots Program, Arkansas State Police; Drug Endangered Children rapid response team in Iowa; Arizona methamphetamine program; Law Enforcement Innovation Center at Knoxville, Tennessee; Drug Interdiction Team to seize illegal drugs

transported into Iowa; Enhancing illegal drug trafficking investigations by State and local authorities in Iowa; Arizona violent crime scene response; Greenbook Project, Maryland; Iowa Drug-Free Workplace Education Project; Meth Safe housing pilot project, Iowa Office of Drug Control Policy; Methamphetamine enforcement efforts in Nevada; Methamphetamine Enforcement, State of Indiana; Methamphetamine Interdiction Program in Northwest Louisiana; Methamphetamine Montana Initiative; Methamphetamine Program for Washington State; Multnomah County, Oregon Children's Receiving Center; Nebraska Methamphetamine Drug Hot Spots Program; Idaho methamphetamine initiative; New York City Specially-Targeted Offenders Program; Oglala, South Dakota Youth Court/Court Systems; Oregon Meth Lab Surveillance and Seizure Program; Savannah, Georgia Impact Program; ShareHouse Methamphetamine Treatment Project in North Dakota; South Central and East Central Iowa Meth Lab Task Forces; Texas State University Advanced Law Enforcement Rapid Response Training Center; Chicago Project for Violence Prevention; Elderly Fraud Prevention Initiative in Iowa; Arkansas State Police's Methamphetamine Drug Hot Spots Program; and Methamphetamine Drug Program for Washington State.

Within the amounts provided for discretionary grants, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on Appropriations regarding its intentions.

$5,000,000 for the National Crime Prevention Council;

$444,000 to the Southwest Montana Drug Task Force to deter the use, distribution, and manufacture of dangerous drugs;

$1,800,000 for a case management system for the Delaware State courts;

$500,000 to the Bernalillo County, NM, Metro Court Domestic Violence Pilot Project;

$2,000,000 for the Tools for Tolerance program in California;

$2,000,000 for continued support for the expansion of SEARCH Group, Inc. and the National Technical Assistance and Training Program to assist States, such as West Virginia and Alabama, to accelerate the automation of fingerprint identification process;

$150,000 for the University of North Dakota's Native Americans Into Law program to recruit and retain American Indian law students;

$550,000 for Turtle Mountain Community College for Project Peacemaker;

$1,146,000 for Child-Safe Personalized Weapons-Smart Gun, NJ;

$100,000 to the City of Custer, SD, for law enforcement equipment;

$100,000 to the South Dakota Association of County Commissioners for law enforcement communications equipment;

$1,000,000 for behavioral health research at the University of Connecticut for at-risk youth;

$650,000 for the National Center for Victims of Crime and INFOLINK;

$300,000 for Mujeres Latinas En Accion, IL, to expand its community-based program for domestic abuse and sexual assault victims;

$3,000,000 for a law enforcement information sharing program in CA;

$900,000 for the Iowa Jail Drug Treatment Pilot Project;

$500,000 to the University of South Carolina for the National Center for Prosecutorial Ethics;

$250,000 for the Children's Medical Assessment Center in South Carolina to extend forensic healthcare services to outlying rural areas, and to extend the tracking and medical case management programs to all law enforcement jurisdictions in the local Tri-County area;

$695,000 for the South Carolina Domestic Violence Reduction Initiative, of which: $150,000 is for Safe Passage which assists victims in Chester, Lancaster, and York Counties; $150,000 for Safer Harbor which assists victims in Greenville and Anderson Counties; $175,000 for Safe Homes which assists victims in Spartanburg; and $220,000 for the Cumbee Center to Assist Abused Persons, which assists victims in Aiken, Barnwell, Allendale, Edgefield, McCormick, and Saluda Counties;

$4,750,000 for the Executive Office of U.S. Attorneys to support the National District Attorneys Association's participation in legal education training at the National Advocacy Center;

$100,000 to the Medical University of South Carolina for an innovative and effective program which helps single head-of-household women with children reject a life of crime and drugs and build a self supporting lifestyle;

$150,000 for the City of La Crosse Community Policing Plan;

$300,000 for the Barron Rusk County, WI, Drug Task Force;

$1,100,000 for the Vermont Drug Task Force;

$250,000 for the University of Arkansas' program to reduce Family Violence through Workplace Interventions;

$2,200,000 for the Baltimore City, MD, Drug Enforcement and Eradication Program;

$300,000 to the Prince George's County, MD, Neighborhood Watch Program;

$250,000 to the Washington Public Building Mapping System;

$400,000 to Milton R. Abrahams Legal Clinic at Creighton University, NE;

$250,000 for the North Kingstown, RI, Police Department for equipment and related expenses;

$300,000 to the John Hope Settlement House in Providence, RI, for a family support center;

$200,000 for the Las Vegas, NV, Metropolitan Police Forces' Special Weapons and Tactics [SWAT] Team;

$200,000 for the UNLV Boyd School of Law;

$400,000 for Las Vegas, NV, for communications equipment;

$500,000 for the Community Action Neighborhood Empowerment Program in Erie County, NY;

$7,500,000 for the Southeast National Law Enforcement and Corrections Technology Center for the implementation of Project SEAHAWK. Funding is provided for the acquisition of communications equipment, computer software and hardware technology, and research and development needed to execute the project;

$850,000 for Nebraska Statewide Drug Enforcement and Lab equipment;

$1,100,000 for an alcohol interdiction program designed to investigate and prosecute bootlegging crimes as part of a statewide effort to reduce fetal alcohol syndrome in Alaska;

$250,000 for the Catholic Charities of Maine, Rapid Response Program;

$800,000 for the Haymarket Center's Rehabilitative Confinement Program;

$150,000 for the Alabama Criminal Justice Training Center;

$1,250,000 for Abilene, TX, for law enforcement technologies;

$400,000 to the Montana Food Bank Network/Montana Correctional Enterprises for cannery operations;

$100,000 for the Morgan County, KY, Sheriff's Department;

$2,000,000 to the Municipality of Anchorage, AK, for response to illegal drug and alcohol use for homeless veterans;

$500,000 for the Pittsburgh, PA, Police Bureau's Virtual Perimeter Video Surveillance system, which allows live monitoring of multiple locations by robotic cameras;

$100,000 to the Alabama Sentencing Commission for a simulation model of the Alabama sentenced offender population;

$210,000 for the Alaska DARE Coordinator;

$500,000 to establish the Belknap, NH, Regional Special Operations program;

$150,000 for the Nebraska Statewide Drug Treatment and Prevention program;

$1,000,000 for the New Mexico Administrative Office of the Courts to support Dependency Drug Courts in three judicial districts;

$750,000 for the Center on Domestic Violence at the University of Colorado in Denver;

$2,000,000 for Anchorage Sexual Response Assault Team to investigate and prosecute rapes;

$1,000,000 for the Davidson County, TN, Drug Court Program;

$400,000 for the Philadelphia, PA, Safe Streets Initiative;

$2,500,000 for the Missouri MOSMART Program;

$500,000 for the New Hampshire Phoenix House information technology upgrade project;

$1,500,000 for continuation of Operation Streetsweeper;

$250,000 for Partners for Downtown Progress in Alaska;

$1,000,000 for the Montana Public Safety Services Office for law enforcement equipment;

$122,000 for the Powder Springs Police Force in Cobb County, GA for new equipment;

$1,000,000 for the Alaska Native Justice center to develop recommendations in consultation with AFN. RuralCap, and AITC on rural justice and law enforcement;

$500,000 for technology upgrades for the New Hampshire Department of Motor Vehicles substation;

$300,000 for the Protection of Senior Citizens, Indianapolis, IN, Housing Authority;

$1,000,000 for the inclusion of the New Hampshire Department of Motor Vehicles in the public safety communications network;

$3,000,000 for the Innovative Partnerships for High Risk Youth demonstration project run by Public/Private Ventures;

$3,000,000 for the National Fatherhood Initiative;

$1,000,000 for the Strategic Medical Intelligence Initiative Partnership at the University of Pittsburgh Medical Center;

$750,000 for law enforcement equipment upgrades in Midwest City, OK;

$650,000 for the Alaska Public Safety Academy;

$750,000 for Fisk University's Security Enhancement Initiative, Nashville, TN;

$1,500,000 for the National Judicial College;

$1,100,000 for Security Enhancement Programs for the South Carolina Palmetto Expo Center;

$500,000 for equipment and supplies for the Ocean Springs, Mississippi Police Department;

$1,000,000 for the Western Forensic Science & Law Enforcement Training Center;

$750,000 for the Alaska Youth Community Policing Initiative;

$1,500,000 to An Achievable Dream in Virginia;

$500,000 for the Pennsylvania Commission on Crime and Delinquency for integrated justice data hubs;

$1,000,000 for the Cook County Cold Case Homicide Unit;

$1,200,000 for the Drug Abuse Resistance Education (DARE) program;

$20,000 for the City of Massillon, OH, Police Department for law enforcement technologies and to combat gang and drug-related activities;

$8,000,000 for Operation UNITE for a drug enforcement, treatment and education program;

$1,250,000 for the Rural Law Enforcement Technology and Training Center;

$500,000 for the Phoenix House Upstate New York Drug Treatment Alternative for offenders;

$750,000 for Excelsior College for law enforcement training programs;

$25,000 for Transylvania County, NC, Sheriff's Citizens Observer Patrol and Education Team;

$700,000 for the New Orleans, LA, Police Department for crime fighting initiatives;

$200,000 for the Orleans Parish, LA, District Attorney's Office for crime fighting initiatives;

$200,000 for the Louisiana State Police for equipment to assist in investigating crimes;

$200,000 for the Iberia Parish Sheriff's Department for equipment to assist in investigating crimes;

$200,000 for the Calcasieu Parish Sheriff's Department for equipment to assist in investigating crimes;

$200,000 for the Caddo Parish District Attorney's Office for equipment to assist in investigating crimes;

$200,000 for the Jefferson Parish District Attorney's Office for equipment to assist in investigating crimes;

$1,500,000 for the Washington Metropolitan Area Drug Enforcement Task Force (MATF);

$1,000,000 for the Northern Virginia multi-jurisdictional anti-gang task force;

$732,000 for the Virginia Attorney General's Office for a Computer Crime Unit ($115,000), a gang task force ($500,000), and the Triad program ($117,000);

$2,500,000 for Mothers Against Drunk Driving for education and victims assistance programs;

$500,000 for the Northern Virginia Criminal Justice Academy;

$250,000 for Gospel Rescue Ministries;

$1,000,000 for the Fuller Theological Seminary for a conflict resolution program;

$50,000 for the Virginia Commonwealth Attorneys Service Council for the TOP GUN program to partner law enforcement and prosecutors to combat violent crime throughout Virginia;

$1,540,000 for pre-release and post-incarceration services programs for the Commonwealth of Virginia;

$750,000 for The Doe Fund's Ready, Willing & Able program;

$1,230,000 for court programs in the Commonwealth of Virginia to combat drug use and drug related crimes;

$660,000 for the Virginia Community Policing Institute;

$350,000 for the Northwest Virginia Regional Drug Task Force;

$500,000 for the Courtroom 21 program at William and Mary College;

$600,000 for the Protecting Children Against Sex Offenders in Fairfax County, VA;

$100,000 for the Virginia State Police to deal with gang violence in the City of Richmond;

$750,000 for a child abuse prevention program in Norfolk, VA;

$500,000 for the National Motor Vehicle Title Information System to reduce vehicle theft and fraud;

$500,000 for the Tarrent County, TX, District Attorney's Office for an Automated Fingerprint Identification System;

$2,000,000 for the Center for Court Innovation;

$110,000 for the Virtual Simulation Project for Clark State Community College's Police Academy in Springfield, OH;

$500,000 for a crime fighting initiative with the University of Central Oklahoma, the City of Edmond, OK and the Oklahoma State Bureau of Investigation;

$1,000,000 for the Oakland County, MI, Sheriff's Department for an Identification Based Information System (IBIS) including portable hand-held digital fingerprint and photo devices for patrol cars;

$350,000 for Iowa State University for specialized criminal justice research;

$350,000 for a Regional Law Enforcement Training Program at Iowa Central Community College in Fort Dodge, IA;

$500,000 for the Redlands, CA, Police Department for a crime mapping project;

$1,000,000 for the National Training and Information Center (NTIC);

$1,000,000 for the National Center for Justice and the Rule of Law at the University of Mississippi School of Law to sponsor research and produce educational seminars and training programs for judges, court personnel, prosecutors, police agents, and attorneys;

$3,000,000 for the National Clearinghouse for Science, Technology, and the Law at Stetson University College of Law;

$200,000 for the Pinellas County, FL, Sexual Predator Unit;

$2,000,000 for the National Forensics Science Technology Center;

$250,000 for a law enforcement initiative in Tampa Bay, FL;

$500,000 for the Florida Gulf Coast University for equipment and training for law enforcement efforts;

$500,000 for Kristen's Act;

$1,000,000 for the University of Houston to study in-car law enforcement technologies;

$250,000 for the DuPage County State's Attorney's Office for the Child Victim Witness Project for criminal investigators;

$500,000 for Kane County, IL, for a drug rehabilitation court;

$750,000 for the Columbus, OH, Police Department for an automated fingerprint identification system;

$300,000 for the Ascension Parish Sheriff's Office for a regional training center for cybercrime monitoring and enforcement activities and for law enforcement administration training;

$2,500,000 for National Institute of Justice's Cyber Science Laboratory in Rome, NY;

$100,000 for the Cathedral City, CA Police Department for an After-School Program;

$300,000 for the National Association of Town Watch's National Night Out crime prevention program;

$300,000 for the Savannah Impact Program for an offender re-entry program;

$250,000 for Orange County, CA, for a mobile regional gang enforcement team;

$300,000 for Orange County, CA, for an integrated law and justice program;

$300,000 for The Women's Center in Vienna, VA;

$200,000 for the City of Fairfax, VA, for law enforcement equipment;

$300,000 for Mercyhurst College in Erie, PA, for law enforcement training;

$200,000 for the City of Chesapeake, VA, Police Department for law enforcement expenses;

$300,000 for Gun Crimes Reduction Task Force in Ventura County, CA;

$300,000 for the Buchanan County, MO, Drug Strike Task Force;

$300,000 for the Rural Justice Institute at Alfred University;

$300,000 for the University of Notre Dame in collaboration with State University of New York (SUNY) Stony Brook for law enforcement technologies research;

$100,000 for the College of the Cannons in Santa Clarita Valley, CA for law enforcement training;

$200,000 for the Belmont Harrison Juvenile District for female inmate programs;

$750,000 for the San Joaquin Valley Rural Crime Prevention Program;

$300,000 for the Eddy County, NM, Detention Center for inmate programs to reduce recidivism;

$300,000 for the Regional Counter Drug Training Academy for law enforcement training;

$150,000 for York County, PA, for a court records improvement program;

$250,000 for the Stanislaus County, CA, Meth Gang Enforcement Project;

$200,000 for the City of Virginia Beach, VA, Sheriff's Department for law enforcement expenses;

$6,000,000 for the Police Athletic League;

$100,000 for the Men Ending Domestic Violence program in Swansea, IL;

$300,000 for Altoona, PA, for an offender re-integration program;

$300,000 for the Norwich, CT, Police Department for a program to investigate sexual predators on the Internet;

$100,000 for the Polaris Project;

$180,000 for the Check'em Out program in Hamilton Township, NJ;

$300,000 for the Houma, LA, Police Department for law enforcement expenses;

$150,000 for the Kern County, CA, District Attorney for equipment to assist in criminal gang investigations;

$250,000 for the Second Judicial District of New Mexico for a gun violence reduction program;

$250,000 for Greenbook;

$250,000 for the National Center for Rural Law Enforcement's Internet Project;

$250,000 for the Law Enforcement Memorial Act;

$250,000 for John Jay Criminal College and Lehman College of the City University of New York for law enforcement research;

$150,000 for the Midtown Community Justice Center in Milwaukee, WI, for restorative justice programs;

$1,500,000 for the City of Alexandria and the County of Arlington, VA to enhance law enforcement activities;

$250,000 for the Local Initiatives Support Corporation;

$600,000 for St. Louis County, MO, to enhance local law enforcement efforts;

$750,000 for the California Department of Justice for the San Francisco Bay area sexual assault screening program;

$1,500,000 for New York University for law enforcement research;

$50,000 for Sistas and Brothas United;

$400,000 for the Latino Pastoral Action Center;

$100,000 for "Servicing our Youth";

$100,000 for the Restorative Justice and Good Citizenship Initiative in Chicago, IL;

$100,000 for Solano County, CA, for enhanced law enforcement activities;

$250,000 for the Arkansas Law Enforcement Training Academy;

$300,000 for the Puerto Rican Legal Defense and Education Fund to conduct a study of the participation of Latinos in the federal criminal justice system;

$400,000 for "Sanctuary for Families" for programs in support of at-risk women and children;

$600,000 for the Urban Justice Center;

$1,000,000 for the National Corrections and Law Enforcement Training and Technology Center in Moundsville, WV;

$200,000 for the American Cities Foundation for a drug and alcohol demand reduction program;

$460,000 for the Philadelphia District Attorney's Office for criminal justice enhancements;

$250,000 for the New York Prosecutors Training Institute for enhancement of the Spectrum Justice and Prosecutors Case Management software systems;

$500,000 for "Urban Dreams" in Des Moines, IA, for programs in support of at-risk youths;

$400,000 for the Maine Rural Substance Abuse Partnership;

$500,000 for Midamerica Nazarene University's (MNU) Criminal Justice Program;

$500,000 for the National Children's Alliance Child Abuse Case Tracking, Reporting and Management System;

$200,000 for the College of Mount Saint Vincent for criminal justice research and development;

$250,000 for Phoenix House to enhance drug treatment options in New York City, NY;

$100,000 for the Municipality of Barceloneta, PR, to expand law enforcement efforts;

$500,000 for Touro College Jacob D. Fuchsberg Law Center for criminal justice research;

$200,000 for the Milwaukee County, WI, Community Justice Day Reporting Center to expand program activities;

$500,000 for YouthServe, a project of the "Builder for the Family and Youth," to develop programs in support of at-risk youths;

$150,000 for the Substance Abuse Referral and Prevention, Suicide Prevention and Mental Health Promotion Online Demonstration Project in New York, NY;

$900,000 for "The Fortune Society" for the Community Reentry program;

$250,000 for Bexar County, TX, for the Jail Diversion Program Model;

$50,000 for the Greater Woodhaven Development Corporation to address quality of life crimes;

$500,000 for the North Las Vegas and Las Vegas, NV, Police Departments to enhance law enforcement efforts;

$150,000 for the "Home Again" Offender Re-Entry Project in Indianapolis, IN;

$100,000 for Provident Counseling's Domestic Violence Prevention Program;

$100,000 for the City of North Miami Beach, FL, for a law enforcement initiative;

$50,000 for the African Community Resource Center for professional counseling for victims of domestic violence;

$100,000 for the County of Santa Clara, CA, for the Financial Abuse Specialist Team;

$100,000 for PAX New York for the SPEAK UP Hotline;

$100,000 for the City of Pittsburgh, PA, Police Bureau to enhance the Witness Protection Program;

$100,000 for the San Jose, CA, Police Department for law enforcement enhancements;

$500,000 for the National Institute on State Policy on Trafficking of Women and Girls at the Center for Women Policy Studies;

$100,000 for the City of Seattle, WA, Precinct Liaison Program;

$100,000 for the White Earth Nation in White Earth, MN, for criminal justice enhancements;

$50,000 for the Southeast Law Enforcement Center;

$100,000 for the Warren Urban Minority Alcohol and Drug Abuse Outreach Program in Trumbull County, OH;

$100,000 for the Village of Leetonia, OH, for a school resource officer program;

$100,000 for NOVA Southeastern University's Community Resources, Partnerships & Solutions project;

$50,000 to Taylor County, WI, for the Restorative Justice Program;

$100,000 to the Bayfield, WI, Police Department for enhanced law enforcement activities;

$200,000 to the Marathon County, WI, Sheriff's Department for a methamphetamine response team;

$600,000 for the Alliance for Children and Families in Milwaukee, WI, for the Legal Intervention for Employment Expansion project.

Harold Rogers Prescription Drug Monitoring Program.—The conference agreement includes $7,000,000 to assist States in building or enhancing prescription drug monitoring systems, facilitating the exchange of information between States, and providing technical assistance and training on establishing and operating effective prescription drug monitoring programs.

Prison Rape Prevention and Prosecution.—The conference agreement provides $37,175,000 for implementation of the Prison Rape Elimination Act of 2003 (Public Law 108–79). The conference agreement provides up to $10,000,000 for the collection of statistics, data and research as authorized by section 4 of the Act; $5,000,000 is provided for the National Institute of Corrections for a national clearinghouse, training and education as authorized by section 5 of the Act; $20,000,000 is provided for grants to States to protect inmates and safeguard communities as authorized by section 6 of the Act. If the entire $10,000,000 provided for statistics, data and research is not utilized, the conferees expect these funds to be used to make additional grants to States. An additional $2,175,000 shall be transferred to the National Prison Rape Reduction Commission.

Victims of Trafficking.—The conference agreement includes $10,000,000 for victim services programs to assist victims of trafficking as authorized by the Victims of Trafficking and Violence Protection Act of 2000. The conferees expect the Office of Victims of Crime to work with the Office of Juvenile Justice and Delinquency Prevention on child exploitation issues.

Drug Courts.—The conference agreement provides $38,500,000 for the Drug Courts program. The conferees note that funding for drug courts is an eligible expense under the Local Law Enforcement Block Grant program, the Byrne program, and Juvenile Justice Programs.

Law Enforcement Family Support and Motor Vehicle Theft Prevention.—The conferees understand that sufficient funding is available in prior year unobligated balances to continue to fund these programs during fiscal year 2004.

WEED AND SEED PROGRAM FUND

The conference agreement includes $58,542,000 for the Weed and Seed program as provided by the Senate. The conference agreement adopts by reference the House report language requiring OJP to submit a report to the Committees on Appropriations on the coordination of the Weed and Seed program with Project Safe Neighborhoods, the Bureau of Alcohol, Tobacco, Firearms and Explosive's Youth Crime Gun Interdiction Initiative and other Department of Justice and Federal programs.

COMMUNITY ORIENTED POLICING SERVICES

The conference agreement includes $756,283,000 for Community Oriented Policing Services (COPS) programs instead of

$682,933,000 as proposed by the House and $656,636,000 as proposed by the Senate. The conference agreement provides significant resources above the request to enhance the ability of the COPS office to accomplish their mission of advancing community policing practices. While the conferees appreciate the Administration's need to address its Federal counterterrorism responsibility, this need should not preclude the Administration from executing other law enforcement responsibilities such as local law enforcement programs aimed at ensuring community safety.

The table below displays the funding provided in the conference agreement compared to the level of funds requested under the COPS and Justice Assistance headings for similar activities and compared to the levels provided in the House and Senate bills.

[$ in 000's]

Program	Enacted	Request	House	Senate	Conference
Hiring	198,700			200,000	120,000
Training and Technical Assistance	20,528	20,662	20,662	(10,000)	(5,000)
Tribal Law Enforcement	34,773	30,000	30,000	20,000	25,000
Meth Hot Spots	56,761	20,000	60,000		54,050
COPS Technologies	188,719	50,000	100,000	83,960	158,407
Interoperable Communications	74,620			140,000	85,000
Safe Schools Program	15,111			17,000	4,600
Police Integrity Grants	16,853	16,963	17,000	5,000	10,000
Management and Administration	32,782	26,130	26,130	35,000	30,000
Prior Year Balances (Rescission)		(6,378)			
Bullet-Proof Vests	25,279	24,143	25,000	25,000	25,000
Police Corps	14,903	28,315	28,315	15,000	15,000
Criminal Records Upgrade	39,740	56,924	56,924		30,000
DNA/Crime Lab Initiative	81,009	174,353	174,353	19,050	100,000
Paul Coverdell Forensic Science	[4,968]		5,000	15,000	10,000
DC Court and Fugitive Task Forces			41,105		
Crime Identification Technology Act	68,626			36,626	24,226
Safe Schools Technologies	[16,890]			[10,000]	[5,000]
SW Border Prosecutor Program	39,740	48,063	40,000	15,000	30,000
Gun Violence Reduction Assistance	44,708	47,683	45,000	15,000	30,000
Offender Re-Entry	14,837	13,504	13,504	5,000	5,000
Project Sentry	9,935			10,000	
Total	977,624		682,993	656,636	756,283

COPS Hiring Program.—The conference agreement includes $120,000,000 for the hiring of law enforcement officers, of which $60,000,000 shall be for school resource officers. From within available amounts, $5,000,000 is for training and technical assistance. The conference agreement adopts by reference the House report language concerning events of national or regional importance and directing COPS to submit a report to the Committees on Appropriations on "best practices" within 180 days of enactment of this Act.

Bulletproof Vests.—The conference agreement includes $25,000,000 for the Bulletproof Vests program. The conferees request that the Department of Justice conduct a study and submit a report to the Committees on Appropriations on the National Institute of Justice's (NIJ) voluntary testing protocols and minimum standards for body armor to determine the extent to which the efficiency of those voluntary testing protocols and minimum standards for body armor correlates with successful and improved law en-

forcement officer and public safety, and include any recommendations for improving the efficiency and safety of these voluntary testing protocols and minimum standards for body armor. The report must address, but is not limited to, the criteria used by the NIJ to establish voluntary standards of testing and evaluation to identify minimum performance standards for body armor critical to protecting officers from ballistic threats; when the NIJ last updated the minimum performance standards for body armor; the qualifications and factors used by the NIJ to determine the need to update minimum performance standards for body armor; why the NIJ testing protocols only rate body armor in the newest possible condition; and why the NIJ does not test the deterioration of body armor actually worn by officers in the field to determine if such materials and body armor constitutes to comply with the NIJ minimum performance standards during the warranty period of the body armor.

Police Corps.—The conference agreement includes $15,000,000 for the Police Corps program. The conferees are disappointed that the Police Corps program did not submit a fiscal year 2003 financial plan as requested in the fiscal year 2003 conference report. The conferees believe it is important for this program to standardize the funding provided for recruit training and require State matching funds for training costs. The conferees are also disappointed that the Police Corps program has not submitted the requested report describing OJP's efforts to incorporate terrorism prevention and response training into the Police Corps program and discussing the feasibility of establishing regional Police Corps training centers. The conferees expect this report to be submitted as soon as possible and the conference agreement again directs OJP to submit a Police Corps financial plan no later than 180 days after enactment of this Act.

Methamphetamine Enforcement and Clean-Up.—The conference agreement includes $54,050,000 for State and local law enforcement programs to combat methamphetamine production and distribution, to target drug "hot spots," and to remove and dispose of hazardous materials at clandestine methamphetamine labs.

Within the amount provided, the conference agreement includes $20,000,000 to reimburse the Drug Enforcement Administration (DEA) for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs. The conference agreement provides $5,000,000 for training, technical assistance and grants to localities with highest priority needs. The conference agreement adopts by reference the House report language concerning coordination with other Federal agencies.

In addition, within the amount provided, the conferees expect the COPS Program Office, in consultation with DEA, to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

$1,500,000 for the Arizona methamphetamine program;

$1,100,000 for the Five County Southeastern Utah Methamphetamine Project;

$700,000 for Methamphetamine Enforcement for the State of Indiana;

$1,050,000 for the Louisiana Methamphetamine Task Force;

$750,000 to Prairie View Prevention Services in Sioux Falls, SD, to continue methamphetamine use prevention programs in South Dakota, and to facilitate integration of prevention and treatment services for at-risk youth;

$1,500,000 to fund meth lab task forces in Iowa's south central and east central counties;

$300,000 for the Iowa Tank Lock Methamphetamine Initiative;

$4,500,000 for Hawaii County Comprehensive Methamphetamine Response;

$1,000,000 to continue the efforts of the Wisconsin Methamphetamine Initiative;

$50,000 for the St. Croix, WI, District Attorney's Office Initiative to Combat Methamphetamine;

$600,000 for Marion County, OR, Methamphetamine Lab Surveillance and Seizure Program;

$500,000 for the Virginia State Police to assist their efforts in combating methamphetamine;

$300,000 for DeKalb, Cherokee, and Marion Counties, AL, for initiatives to combat methamphetamine;

$3,000,000 for the California Department of Justice, Bureau of Narcotic Enforcement, for the California Methamphetamine Strategy (CALMS);

$2,000,000 for the Washington State law enforcement methamphetamine initiative;

$240,000 for the Southeast Missouri Drug Task Force;

$2,200,000 for the Regional Methamphetamine Training Center in Sioux City, IA;

$750,000 for methamphetamine enforcement and clean-up initiatives in Kansas for the Cowley County, Montgomery County, and Butler County Sheriffs' Departments;

$1,000,000 for the Methamphetamine Task Force in East Tennessee, to fight the spread of meth labs in this region, including $50,000 for a video conferencing program at the Hamilton County District Attorney's Office;

$200,000 for the Chilton County, AL, Sheriff's Department to combat production and distribution of methamphetamine;

$300,000 for the Henderson County, TN, Sheriff's Department to combat production and distribution of methamphetamine;

$500,000 for the Arkansas Methamphetamine Law Enforcement Initiative;

$300,000 for the Riverside County, CA, Sheriff's Department to combat production and distribution of methamphetamine;

$300,000 for the Franklin County, MO, Sheriff's Department for Operation CHEM;

$100,000 for the Daviess County, KY, Sheriff's Department to combat production and distribution of methamphetamine;

$400,000 for the Oklahoma Bureau of Narcotics and Dangerous Drug Control Clandestine Laboratory Enforcement Program;

$550,000 for the Kansas Bureau of Investigation to combat the production and distribution of methamphetamine;

$300,000 for the Nebraska State Patrol to combat the production and distribution of methamphetamine;

$300,000 for the Henderson, NV, Police Department for equipment and technologies to combat the production and distribution of methamphetamine;

$700,000 for the Pennyrile Narcotics Task Force in KY;

$70,000 for the Lawrence County, AL, Sheriff's Office to assist their efforts against methamphetamine and narcotics production and distribution;

$200,000 for Phoenix House for methamphetamine treatment programs in Los Angeles, CA;

$250,000 for the Lincoln County, OR, methamphetamine project;

$100,000 for the City of Columbia, SC, methamphetamine initiative;

$100,000 for the Buffalo Trace/Gateway Narcotics Task Force to support a multi-jurisdictional task force methamphetamine training program;

$750,000 for the Minot State University Rural Methamphetamine Education Demonstration Project;

$100,000 for the Choctaw Nation methamphetamine initiative;

$100,000 for the State of Hawaii, including Oahu, Maui County, and Kaua'i County, for methamphetamine initiatives.

COPS Interoperable Communications Technology Program.—The conferees recommend $85,000,000 for the COPS Interoperable Communications Technology Program, in consultation with the Office of Science and Technology (OS&T) within the NIJ, as well as the Bureau of Justice Assistance (BJA). This program shall utilize the expertise of all three organizations to create a grant program that is highly responsive to the immediate needs of the State and local law enforcement community and that takes full advantage of the expertise and lessons learned from OS&T's and BJA's research and development in the field of interoperable law enforcement communications, particularly project AGILE.

This program should address the critical need of law enforcement to improve cross-jurisdictional communication, intelligence and information sharing. Grants shall be exclusively available to law enforcement agencies. Consistent with the existing COPS grant programs, the COPS Interoperable Communications Technology Program should include a 25 percent local match requirement and be available to both rural and urban communities.

Grants shall be available for both voice and data communications systems. Grants for voice communications systems shall be available for system upgrades and technologies to make existing communication systems compatible. Grants shall also be available for data communications systems to enhance law enforcement's abilities to share intelligence and to integrate existing local law enforcement legacy databases.

The COPS Office shall ensure that all grant awards comply with existing standards adopted by the OS&T, BJA and OLES. Within the funding provided, $1,000,000 shall be transferred to

OLES to continue the development of a comprehensive suite of minimum standards for law enforcement communications.

The conferees expect the COPS Office to work with State, local, and Federal agencies through the Global Justice Information Sharing Initiative to address the communications and intelligence needs of law enforcement.

The conferees direct the COPS office to develop and submit to the Committees on Appropriations, no later than 45 days after the enactment of this Act, proposed guidelines for the program.

Law Enforcement Technology Program.—The conference agreement includes $158,407,000 for the COPS Law Enforcement Technology Program. The conference agreement adopts by reference the House report language concerning standards.

Within the amounts provided under this account, grants should be provided for the following:

$2,000,000 for the Ohio Palmprint AFIS Program;

$500,000 for forensics, crime scene collection, and drug detection abilities upgrades at the Sandy City, UT, Crime Lab;

$500,000 for the Regional Crime Lab at Missouri Southern State College;

$1,000,000 for Sam Houston State University to develop the Texas Center for Forensic Sciences, with a primary focus in the area of digital forensic science;

$250,000 for Washoe County, NV, Sheriff's Department of Forensics and DNA Analysis;

$500,000 to establish a police science laboratory at Holyoke Community College, MA;

$1,000,000 for Texas Tech University's Institute for Forensic Sciences;

$3,000,000 to the Louisville, KY, Regional Computer Forensic Laboratory;

$1,000,000 to Allegheny County, PA, to improve its forensic laboratories;

$1,000,000 to the University of Alabama at Birmingham's Forensic Science Institute;

$800,000 for the Ohio Attorney General's Office Crime Laboratory System Improvement Project;

$500,000 for medical examiner upgrades for the Jefferson County, AL, Medical Examiner's Office;

$450,000 to Brown University in Providence, RI, for a nanotechnology study of DNA sequencing methods;

$3,300,000 for Marshall University's Forensic Science Program;

$1,500,000 to the South Carolina Law Enforcement Division for continued funding to support the growing State and local law enforcement needs in the only full service forensic laboratory in South Carolina;

$1,000,000 for the Honolulu, HI, Police Department's Crime Lab Improvements;

$500,000 for planning, design, and equipment for the State of Vermont Forensic Laboratory;

$400,000 for the Stamford, CT, Police Department for law enforcement technologies;

$600,000 for Spokane, WA, Intelligence/Information Sharing Computer Systems;

$2,000,000 for the UNH/Keene State College Public Safety Management System;

$1,000,000 for the computer-aided dispatch system for Sedgwick County, KS;

$400,000 for law enforcement communications equipment in Osceola, FL;

$400,000 for a Technical Interoperability Project, NY;

$175,000 to the Billings, MT, Police Department to enhance the mobile data technology to provide constant locations of all cars;

$700,000 for equipment upgrades, City of Gary, IN;

$500,000 for the City of Fairfield, CA, Police CAD/RMS Dispatch and Records Project;

$2,277,000 to the Southeastern Law Enforcement Technology Center to partner with SPAWAR System Center Charleston to advance research and development into software radio technology;

$475,000 for Salem County, NJ, for law enforcement communications equipment;

$250,000 to Brown County, SD, to integrate communications systems with law enforcement;

$250,000 to the South Dakota Police Chiefs' Association and South Dakota Sheriffs' Association for technology and equipment;

$250,000 for the Adams County, IL, Sheriff's Department to upgrade law enforcement and communication technologies and to modernize equipment;

$1,050,000 for police technology grants to be equally divided between the cities of Barre, St. Albans, and Springfield, VT;

$850,000 to the City of Greenville, SC, Police Department for communication system upgrades;

$900,000 to the Southeastern Law Enforcement Technology Center for the deployment of shot spotter technology;

$2,000,000 to the State of Alaska for training Village Public Safety Officers and small village police offices and acquisition of emergency response and search and rescue equipment for rural communities;

$350,000 to the Newberry County, SC, Sheriff's Department for the purchase of mobile data computers;

$350,000 to Abbeville, SC, Sheriff's Department for mobile data computers and in-car cameras;

$1,000,000 for a grant to the Southeastern Law Enforcement Technology Center's Coastal Plain Police Communications initiative for regional law enforcement communications equipment;

$300,000 for Spartanburg County, SC, for an advanced emergency communications system;

$300,000 to the Union County, SC, Sheriff's Department for mobile data computers and communications upgrades;

$300,000 to the Greenwood County, SC, Sheriff's Department for the purchase of mobile data computers and communications upgrades;

$1,000,000 to the South Carolina Law Enforcement Division to continue funding for equipment to support a Federal and State collaboration of investigators and forensics experts to solve high technology crimes through one center;

$350,000 to the Hampton County, SC, Sheriff's Department for the purchase of computers and surveillance equipment necessary to patrol high crime areas of the county;

$300,000 for the Jasper County, SC, Sheriff's Department for the purchase of mobile data computers and in-car cameras;

$2,500,000 to Berkeley, Charleston and Dorchester Counties, SC, for a shared information system for local law enforcement;

$20,000 to the Yemassee, SC, Police Department for the purchase of radios and in-car cameras;

$1,000,000 to the State of Wisconsin's Office of Justice Assistance to create an integrated data-sharing system linking the criminal justice system throughout the State;

$1,000,000 for Wayne County, MI, for communications equipment and to complete its Global Positioning System project;

$635,000 for the Arkansas Justice Xchange Project;

$900,000 for the Internet Project at the Criminal Justice Institute;

$2,100,000 for the Wireless Network and Mobile Data Terminal Program in the City of Jackson, TN;

$400,000 for the Colorado Sex Offender Registry;

$500,000 to procure and evaluate Voice Monitoring and Logging equipment with embedded TACSCAN capability at designated locations;

$50,000 for investigative capability of the Kansas Bureau of Investigation's Computer Crime Section;

$1,000,000 for the Enforcement Technology Program in the City of Macon, GA;

$350,000 for VeriTracks in Georgia;

$2,500,000 for the Harrison County, MS, Public Safety Automated Systems;

$2,500,000 for the Land Mobile Radio project in Alaska;

$750,000 for the Criminal Justice Information Integration Project, City of Minneapolis, MN;

$1,500,000 for Harris County, TX, to purchase and install new interoperable radio hardware and software to provide and further enhance interoperable radio communications for public safety and first responders in the region;

$1,000,000 for law enforcement training equipment, City of Council Bluffs, IA;

$500,000 for Fairbanks, AK, Criminal Justice Data Sharing;

$3,000,000 for the Consolidated Advanced Technologies for Law Enforcement (CAT lab) program at the University of New Hampshire;

$1,000,000 to the City of Allentown, PA, to develop computer mapping and weekly accountability sessions;

$125,000 for the Plymouth State College, NH, police department for technology upgrades;

$1,250,000 for the Records Interoperability Initiative through the Consolidated Advanced Technologies for Law Enforcement;

$3,000,000 for the J–ONE information system in New Hampshire;

$2,500,000 to the Kenai Peninsula, AK, Borough Emergency Operations Center;

$1,000,000 to the University of Kentucky's Law School Electronic Access Project;

$3,000,000 for technology and equipment for the New Hampshire Department of Safety Statewide Interagency Emergency Operations and Communications System Center;

$2,000,000 to provide digital radio equipment and technology to the New Hampshire Department of Safety;

$500,000 for the Matanuska Susitna, AK, Borough Emergency Response Radio Network;

$2,000,000 for the Oklahoma Department of Public Safety for law enforcement equipment;

$250,000 to the New Hampshire Police Standards and Training for technology and upgrades;

$1,000,000 for a replacement communications system for Buchanan County, Missouri, the City of St. Joseph, and Heartland Health Law Enforcement Communications System;

$2,000,000 for law enforcement technologies to be split evenly between the City of Tuscon, AZ, Police Department and the Cochise County, AZ, Police Department;

$3,000,000 for the Stark County, OH, Sheriff's Department for law enforcement technologies;

$2,000,000 for a Regional Law Enforcement Technologies Program in Kentucky;

$3,000,000 for the Simulated Prison Environment Crisis Aversion Tools for programs in Alabama, North Carolina and Pennsylvania;

$100,000 for the New Orleans Metropolitan Crime Commission;

$150,000 for the Rapides Parish, LA, Sheriff's Department for law enforcement technologies;

$250,000 for the Loudoun County, VA, Sheriff's Department for law enforcement technologies;

$62,000 for the Town of Herndon, VA, Police Department for information technology requirements;

$500,000 for the Key West, FL, Police Department for law enforcement technologies;

$50,000 for the Fauquier, VA, Sheriff's Department for a mobile data system;

$400,000 for the Fairfax County, VA, Police Department for law enforcement technologies;

$2,000,000 for the Virginia Department of Criminal Justice Services, for the Integrated Criminal Justice Information System;

$80,000 for Hanceville, Douglas, Arab, and Blount County, AL, Police Departments for law enforcement technologies;

$2,000,000 for technology enhancements for law enforcement agencies in Middle Rio Grande Border Region of Texas;

$2,000,000 for the Criminal Information Sharing Alliance Network;

$500,000 for the Florida Department of Corrections for a system to electronically monitor criminal probationers and link their location to crime events;

$1,000,000 for Carlsbad, CA, for the Automated Regional Justice Information System;

$2,000,000 for I-SAFE America;

$1,500,000 for the Morris County, NJ, Police Department for law enforcement technologies;

$290,000 for Southside Virginia law enforcement agencies for law enforcement technologies;

$750,000 for the Placer County, CA, Sheriff's Department for law enforcement technologies;

$500,000 for the Plumas County, CA, Sheriff's Department for law enforcement technologies;

$100,000 for the Pickaway County, OH, Sheriff's Department for law enforcement technologies;

$500,000 for the Great Cities University Coalition to improve criminal justice data systems;

$250,000 for the City of Moultrie, GA, Police Department for law enforcement equipment;

$500,000 for the Scott County, IL, Sheriff's Department and the City of Winchester, IL, Police Department for law enforcement technologies;

$750,000 for the East Valley Community Justice Center in CA;

$250,000 for the San Bernardino, CA, Police Department for mobile data terminals;

$17,000 for the Anchorage, KY, Police Department for law enforcement technologies;

$100,000 for the Audubon Park, KY, Police Department for mobile data terminals and in-car video cameras;

$25,000 for the Jeffersontown, KY, Police Department for in-car video cameras;

$750,000 for the Louisville, KY, Metro Police Department for mobile data terminals, in-car video cameras and other law enforcement equipment;

$500,000 for the Idaho State Police for mobile data computers;

$500,000 for the Onondaga County, NY, Sheriff's Office for crime fighting technologies including cameras and video equipment, and mobile data terminals;

$125,000 for the City of Syracuse, NY, Police Department for mobile data terminals;

$700,000 for the City of Clearwater, FL, Police Department for law enforcement technologies;

$700,000 for the Pinellas County, FL, Sheriff's Department for information technology equipment;

$700,000 for the City of Largo, FL, Police Department for laptop computers for patrol cars;

$1,000,000 for the Los Angeles County, CA, Sheriff's Department for law enforcement technologies;

$50,000 for the Wyoming and Livingston Counties, NY, Sheriffs' Departments for law enforcement technologies;

$590,000 for Greene County, MO, for law enforcement technologies including an integrated justice system, video equipment for courtrooms, and information technologies for law enforcement;

$350,000 for Carl Junction, MO, for law enforcement technologies;

$1,000,000 for Greater Harris County, TX, for in-car police technologies;

$523,000 for St. Charles, IL, Police Department for law enforcement technologies;

$150,000 for the Hernando County, FL, Sheriff's Office for law enforcement technologies;

$250,000 for the Hanover County, VA, Sheriff's Office for law enforcement technologies;

$125,000 for the Town of Culpeper, VA, Police Department and the Culpeper County VA, Sheriff's Office for law enforcement technologies;

$75,000 for the Louisa County, VA, Sheriff's Office for law enforcement technologies;

$50,000 for the Page County, VA, Sheriff's Office for law enforcement technologies;

$300,000 for the Lake County, IL, Integrated Criminal Justice Information System;

$250,000 for the York County, VA, Sheriff's Department for law enforcement technologies;

$250,000 for the Stafford County, VA, Sheriff's Department for law enforcement technologies;

$100,000 for the Chesterfield County, VA, Police Department for law enforcement technologies;

$200,000 for the City of Suffolk, VA, Police Department for law enforcement technologies;

$200,000 for the City of Chesapeake, VA, Police Department for law enforcement technologies;

$40,000 for the Northampton County, VA, Sheriff's Office for in-car video cameras;

$50,000 for the Accomack County, VA, Sheriff's Office for in-car video cameras;

$410,000 for the Virginia Beach Police Department for law enforcement technologies;

$100,000 for the St. Clair County, AL, Sheriff's Department for law enforcement technologies;

$100,000 for the Jefferson County, AL, Sheriff's Department for law enforcement technologies;

$3,000,000 for Law Enforcement On-Line;

$300,000 for the Frederick County, MD, Sheriff's Office for law enforcement technologies;

$3,000,000 for the Center for Criminal Justice Technology;

$250,000 for Prince William County, VA, for a regional booking system;

$100,000 for the Lincoln County, NC, Sheriff's Office for mobile data terminals;

$100,000 for the Rutherford County, NC, Sheriff's Office for laptop computers;

$100,000 for the Cleveland County, NC, to establish video arraignment capabilities;

$200,000 for the City of Murrieta, CA, Police Department for mobile data terminals;

$300,000 for the Saginaw Chippewa Tribal Police Force;

$80,000 for the City of Charles Town, WV, for an electronic booking, fingerprint, and live scan systems and mobile data terminals;

$500,000 for the Cincinnati, OH, Police Department for a records management system;

$200,000 for the Loudon County, TN, Police Department for mobile data terminals;

$180,000 for the City of Oviedo, FL, Police Department for law enforcement technologies;

$50,000 for the Hillsborough, NJ, Police Department for mobile data terminals;

$160,000 for the Clark County, KY, Sheriff's Department for law enforcement technologies;

$500,000 for the Cobb County, GA, Sheriff's Department for a multi-level law enforcement technology system;

$500,000 for a consolidated law enforcement network for Rockingham County, VA, and the City of Harrisonburg, VA;

$250,000 for Lumber River, NC, for law enforcement technologies;

$250,000 for the Cabarrus County, NC, Sheriff's Department for a records management system;

$250,000 for Cape Fear, NC, for mobile data terminals for law enforcement;

$200,000 for the Maitland, FL, Police Department for mobile data terminals;

$750,000 for the St. Clair, MI, Sheriff's Department for law enforcement technologies;

$200,000 for the City of Greenville, NC, Police Department for mobile data terminals;

$20,000 for the Madison Township, OH, Police Department for mobile data terminals;

$300,000 for the Sacramento County, CA, Sheriff's Department for IT infrastructure upgrades including the Sheriff's Information Management System;

$300,000 for the City of Lancaster, PA, Police Department for law enforcement technologies;

$250,000 for the County of Contra Costa, CA, for an integrated justice information system;

$235,000 for the Navajo Nation in Arizona for law enforcement technologies;

$235,000 for the San Carlos Tribe in Arizona for law enforcement technologies;

$40,000 for Yavapai County, AZ, for law enforcement technologies;

$300,000 for the City of West Palm Beach, FL, Police Department for law enforcement technologies;

$250,000 for the City of Gainesville, FL, Police Department and the Alachua County Sheriff's Office for a crime data and mapping system;

$250,000 for the Cities of Bayamon and Guaynabo, PR, for enhanced law enforcement and crime prevention capabilities;

$300,000 for the Manchester Township, NJ, Police Department for law enforcement technologies;

$137,000 for the Hamilton Township, NJ, Police Department for law enforcement technologies;

$300,000 for Kalamazoo County, MI, for an integrated justice management system;

$300,000 for Kankakee County, IL, for an integrated criminal justice system;

$500,000 for the Sandy City, UT, Police Department and Justice Court for law enforcement technology improvements;

$500,000 for the Calvert County, MD, Sheriff's Department for squad car mobile data terminals;

$1,000,000 for the Maryland State Police Department for a police vehicle technology system;

$750,000 for the City of San Francisco, CA, to implement the Justice Information Tracking System;

$1,000,000 for San Francisco, CA, Bay Area law enforcement technology systems;

$1,000,000 for the City of Bastrop, LA, for law enforcement technology enhancements;

$255,000 for the Suffolk County, NY, Police Department for law enforcement technology;

$500,000 for the City of Des Moines, IA, for law enforcement technology;

$40,000 for the Whitpain Township, PA, Police Department for law enforcement technologies;

$250,000 for the Philadelphia, PA, Police Department for law enforcement technologies;

$500,000 for Clackamas County, OR, for law enforcement technologies;

$250,000 for Luzerne County, PA, for law enforcement technologies;

$300,000 for the Cities of Sumas, Lynden, and Blaine, WA, for law enforcement technologies;

$750,000 for the Snohomish County, WA, Sheriff's Department for palm-imaging technology;

$500,000 for the City of Macon, GA, Police Department for law enforcement technologies;

$50,000 for the Town of Lexington, AL, Police Department for law enforcement technologies;

$600,000 for the Cumberland, RI, Police Department for technology upgrades;

$250,000 for the North Providence, RI, Police Department for law enforcement technologies;

$2,000,000 for the City of Minneapolis and Hennepin County, MN, for law enforcement technologies;

$500,000 for AMBERVIEW;

$500,000 for the Steganography Analysis and Research Center;

$750,000 for the Kitsap County, WA, Sheriff's Department for law enforcement technologies;

$300,000 for the Erie County, OH, Sheriff's Department for technology improvements;

$150,000 for the Lucas County, OH, Sheriff's Department for technology improvements;

$100,000 for the Town of Greenburgh, NY, Police Department for law enforcement technologies;

$125,000 for the Town of Haverstraw, NY, for a targeting technology project;

$30,000 for the Village of Rye Brook, NY, for law enforcement technology equipment;

$38,000 for the Village of Tuckahoe, NY, Police Department for law enforcement technology;

$280,000 for Westchester County, NY, for law enforcement equipment;

$420,000 for the Counties of Westchester and Rockland, NY, for law enforcement technologies;

$210,000 for California University of Pennsylvania for support of the Crime Mapping Center;

$500,000 for Somerset, Fayette, Greene and Washington Counties, PA, for law enforcement technologies;

$125,000 for the West Springfield, MA, Police Department for technology upgrades;

$350,000 for the Worcester County, MA, Sheriff's Office for technology upgrades;

$100,000 for the Pittsfield, MA, Police Department for technology upgrades;

$300,000 for the Lake County, IN, Sheriff's Deptment for law enforcement technologies;

$300,000 for the Porter County, IN, Sheriff's Office for law enforcement technologies;

$500,000 for the Arkansas State Police for law enforcement technologies;

$100,000 for Georgia State University to implement an Improved Crime Data system;

$500,000 for the Marion County, SC, Sheriff's Department to implement a records management system;

$500,000 for the Shelton, CT, Police Department for law enforcement technologies;

$100,000 for the Woodbridge, CT, Police Department for law enforcement technologies;

$250,000 for the City of Dallas, TX, for law enforcement technologies;

$500,000 for the University of Texas at Arlington to conduct law enforcement research;

$500,000 for Tompkins County, NY, for law enforcement technologies;

$150,000 for the Worcester Polytechnic Institute for the development of law enforcement technologies;

$250,000 for the Phoenix, AZ, Police Department for law enforcement technologies;

$250,000 for the Chapel Hill and Cary, NC, Police Departments to provide in-car video cameras and other law enforcement technologies;

$150,000 for Bergen County, NJ, for law enforcement technologies;

$250,000 for the City of Madison, WI, for law enforcement technology upgrades;

$200,000 for the City of Sun Prairie, WI, for law enforcement technologies;

$200,000 for Westchester County, NY, for a Criminal Justice Data Warehouse;

$100,000 for the Milwaukee County, WI, Sheriff's Department for upgrading their mobile data computer system;

$500,000 for Hudson County, NJ, for law enforcement technologies;

$150,000 for the City of Pomona, CA, for law enforcement technologies;

$300,000 for the El Paso, TX, Sheriff's Department for law enforcement technology upgrades;

$200,000 for the City of Lakewood, CA, Sheriff Station for technology improvements;

$50,000 for the City of Fullerton, CA, for law enforcement technologies;

$200,000 for the West Covina, CA, Police Department for law enforcement technology improvements;

$100,000 for the Henderson, NC, Police Department for law enforcement technologies;

$200,000 for the California Highway Patrol for law enforcement technology upgrades;

$100,000 for the City of Portland, OR, Police Department for law enforcement technologies;

$150,000 for the San Luis Obispo, CA, County Sheriff's Department for law enforcement equipment;

$100,000 for the Government of the Virgin Islands for law enforcement technologies;

$300,000 for the City of Detroit, MI, for law enforcement technologies;

$100,000 for the City of San Diego, CA, for law enforcement technologies;

$100,000 for the City and County of Denver, CO, for law enforcement technologies;

$150,000 for the City of Austin, TX, Police Department for technology improvements;

$100,000 for the Borough of Spotswood, NJ, for law enforcement technologies;

$45,000 for West Windsor Township, NJ, for law enforcement technologies;

$30,000 for the Grand Coteau, LA, Police Department for law enforcement technologies;

$50,000 for the Lafayette, LA, Police Department for law enforcement technologies;

$20,000 for the Sunset, LA, Police Department for law enforcement technologies;

$100,000 for Jefferson County, TX, for law enforcement technology upgrades;

$300,000 for Sacramento County, CA, for law enforcement technologies;

$100,000 for the Jackson County, MO, Sheriff's Department for law enforcement technologies;

$100,000 for the City of St. Paul, MN, Police Department for law enforcement technologies;

$100,000 for the City of Baltimore, MD, Police Department to install in-vehicle video cameras;

$200,000 for the Missouri Police Chiefs Association for law enforcement technology upgrades;

$50,000 for Nevada County, AR, for law enforcement technologies;

$100,000 for the Little Rock, AR, Police Department for law enforcement technologies;

$100,000 for Tega Cay, SC, for law enforcement technologies;

$250,000 for Charlevoix-Cheboygan-Emmett, MI, for law enforcement technologies;

$100,000 for the Jackson County, MS, Sheriff's Department for law enforcement technologies;

$100,000 for the City of Jackson, MS, for law enforcement technologies;

$100,000 for the Essex County, MA, Sheriff's Department for law enforcement technologies;

$100,000 for "A Child Is Missing" for telephony research to locate missing persons;

$100,000 for the City of Rockville, MD, for law enforcement technologies;

$100,000 for the University of Southern California Advanced Simulation Training for law enforcement research;

$100,000 for the Haverhill, MA, Police Department for law enforcement technologies for the Crime Analysis Unit;

$100,000 for the Minnesota Association of County Probation Officers for law enforcement technologies;

$100,000 for the City of Evanston, IL, for law enforcement technologies;

$100,000 for Sumner, Macon, Bedford, Robertson, Wilson, and Putnam (TN) Counties for law enforcement technologies;

$100,000 for the Long Beach, CA, Police Department for law enforcement technologies;

$100,000 for the City of Inglewood, CA, for law enforcement technologies;

$100,000 for the City of Santa Rosa, CA, for law enforcement technologies;

$100,000 for the State of North Carolina for law enforcement technologies;

$100,000 for the Milburn, NJ, Police Department for law enforcement technologies.

Crime Identification Technology Act.—The conference agreement includes $24,226,000 for the Crime Identification Technology Act program, of which $5,000,000 shall be available for the Safe Schools Technology program.

The Committee has provided $2,500,000 for the Alaska Criminal Justice Information System to integrate Federal, State and local criminal records along with social service and other records. It expects the system design to include the capability to provide background checks on potential child care workers for child care providers and families with the permission of the job applicant. The State should consult with the National Instant Check System for technical expertise. Within the overall amounts recommended, the conferees expect OJP to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

$4,000,000 for West Virginia University's Forensic Identification Program;

$1,500,000 for the South Carolina Law Enforcement Division [SLED] to continue funding for necessary equipment for SLED's criminal justice information system; to convert existing databases and integrate systems for accurate and rapid processing of information to support identifications for criminal and civilian purposes;

$9,400,000 for the South Carolina Judicial Department to continue purchasing equipment for the integration of the case docket system into a state-of-the-art comprehensive database to be shared between the court system and law enforcement;

$500,000 for the Minnesota Department of Public Safety's CriMNet system;

$1,000,000 for the establishment of a forensic DNA analysis lab at North Dakota State University;

$170,000 for the Case Management/Central Docketing System in Kansas;

$600,000 for the Orem City, UT, Consolidated Records Management System; and

$56,000 for the Kansas Telephone-Toll Analysis System.

DNA Initiative.—The conference agreement includes $100,000,000 for a DNA initiative of which $55,000,000 shall be for eliminating the casework backlog; $5,000,000 shall be for eliminating the offender backlog; $30,000,000 shall be for strengthening crime lab capacity; $5,000,000 shall be for training the criminal justice community; and $5,000,000 shall be for using DNA to identify missing persons.

Improving Forensic Capabilities.—In addition to funding provided for the DNA initiative, the conference agreement provides $10,000,000 for Paul Coverdell Forensic Sciences Improvement grants.

The National Institute of Justice [NIJ], in conjunction with its own Office of Science & Technology, the American Society of Crime Lab Directors, the American Academy of Forensic Sciences, the International Association for Identification, and the National Association of Medical Examiners, is directed to develop a plan which will address the needs of the crime lab and medical examiner com-

munity beyond the "DNA Initiative" and report back to the Committees on Appropriations no later than 180 days from the date of enactment of this Act. The report should address the following: (1) manpower and equipment needs; (2) continuing education policies; (3) professionalism and accreditation standards; and (4) the level of collaboration needed between Federal forensic science labs and State/local forensic science labs for the administration of justice.

Southwest Border Prosecutors.—The conference agreement includes $30,000,000 for the Southwest Border Prosecutors initiative. The conference agreement adopts by reference the House report language directing the Department to study whether a similar number of cases are being referred to local prosecutors from Federal arrests along the Northern border. The Department shall report its findings to the Committees on Appropriations within 90 days of enactment of this Act.

Safe Schools Initiative.—The conference agreement includes $4,600,000 for programs aimed at preventing violence in public schools, and to support the assignment of officers to work in collaboration with schools and community-based organizations to address the threat of terrorism, crime, disorder, gangs, and drug activities.

Within the amount provided, the COPS office should examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on Appropriations on its intentions for each proposal:

$750,000 for Alaska's Community in Schools Mentoring Program;

$1,000,000 for the University of Montana to facilitate a statewide community-based curriculum development initiative that promotes responsible behavior and reduces youth violence in schools and communities;

$250,000 to the Sioux Falls School District, in Sioux Falls, SD, for the Department of Corrections to School Transition Project;

$250,000 for the Rock Island County, IL, Regional Office of Education to implement the Step Ahead Program;

$500,000 for the New England Amer-I-Can Program;

$150,000 for the Uhlich Children's Home, IL, to support its school-based violence prevention, mentoring, leadership, and training programs;

$1,500,000 to provide community-based, cost effective alternative programs for juveniles who are, have been or may be subject to compulsory care, supervision or incarceration in public or private institutions in several States including South Carolina;

$200,000 for the Merit School of Music's after-school program.

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

The conference agreement includes $387,629,000 for violence against women prevention and prosecution programs as proposed by the House. The Senate bill provided funding for these programs under the State and Local Law Enforcement Assistance account.

The following table outlines the funding provided in the conference agreement:

[In thousands of dollars]

Program	*Conference*
STOP Grants	$168,334
(National Institute of Justice—R&D)	(5,200)
(Safe Start Program)	(10,000)
(Bureau of Justice Statistics)	—
CASA (Special Advocates)	11,897
Training for Judicial Personnel	2,281
Grants for Televised Testimony	994
Grants to Encourage Arrest Policies	64,503
Rural Domestic Violence Assistance Grants	39,685
Training Programs	4,957
Stalking Database	2,981
Violence on College Campuses	9,935
Civil Legal Assistance	39,740
Elder Abuse Grant Program	4,968
Safe Haven Project	14,903
Transitional Housing	15,000
Educ. & Training for Disabled Female Victims	7,451
Total	387,629

JUVENILE JUSTICE PROGRAMS

The conference agreement includes $352,700,000 for Juvenile Justice programs, instead of $462,282,000 as proposed by the House and $232,330,000 as proposed by the Senate. The conference agreement provides for the following programs:

Juvenile Justice Programs

[In thousands of dollars]

	Amount
Management/Administration	$3,600
Part B—Formula Grants	84,000
Part D—Research, Eval., Tech. Assist. & Training	2,500
Part E—Developing New Initiatives	79,600
Title V—Incentive Grants	80,000
(Tribal Youth)	(10,000)
(Gang Prevention)	(20,000)
(Enforcing Underage Drinking Laws)	(25,000)
(Big Brothers and Big Sisters)	(6,000)
Project Sentry	15,000
Secure Our Schools Act	10,000
Victims of Child Abuse Act Programs	13,000
Juvenile Accountability Block Grant Program	60,000
Project ChildSafe	5,000
Total	352,700

State Formula Grants.—The conference agreement includes $84,000,000 for the Part B—State Formula grants. The conferees ask Governors and relevant State and local officials to review the following proposals and provide grants if warranted: A Child Is Missing Program in Rhode Island; After School Program, YMCA of Greater Indianapolis; Alabama Community Intensive Treatment Program; Azalea Road Park Program in North Carolina; Beating the Odds Program of Pennsylvania; Boys and Girls Home of Nebraska Juvenile Justice Programs; Words Can Heal Program of Colorado; New York City High Risk Neighborhood Delinquency Reduction Program; Disproportionate Minority Youth Confinement

Pilot of Michigan; California Law Enforcement Internet Safety for Children; Champ Chicota Youth Mentoring Program in Louisiana; Children Who Witness Violence Program, Cleveland, Ohio; Children's Law Center of Maine; Community Empowerment Association's 'Friend–2–Friend' Mentoring Program of Pennsylvania; Community Juvenile Justice Center of Montana; Community Outreach to Low-Income Families, Main Street Counseling of Orange, New Jersey; Comprehensive Child Abuse Center of Virginia; Family First Foundation of Pennsylvania; Iowa YMCA Rural Youth Mentoring Initiative; Juvenile Justice Center at Suffolk University; Leadership Academy, Abbeville, Alabama; Life Directions Peer Mentoring Partnership of Oregon; Louisiana Youth Seminar; Marion County, Oregon Juvenile Co-Occurring Disorders Pilot Project; Maine KidsPeace Therapeutic Foster Care Offices; Milwaukee Summer Stars; Kansas Temporary Lodging for Children Program; Milwaukee Youth Empowerment Sites; North Carolina KidsPeace Therapeutic Foster Care; Nevada Gang Database; New Mexico Cooperative Extension After-School Program; Omaha Council Bluffs Metropolitan YMCA; Our Club Program, Pulaski County, Arkansas Council for Children and Youth Services; Program for At Risk Youth, Greater Miami Tennis Foundation; Project Youth Anti-Violence Education in Kansas; Relief Nursery Services to Children of Incarcerated Parents in Oregon; River Rangers After-School Program of Rhode Island; Safer Learning Center of Illinois; SPEAK UP Hotline in New York; STOP the Violence—Students Taking On Prevention of California; Teen Angels program in New Jersey; The Restitution Earned, Accountability Learned Program in Nevada; New York City Commercial Sexual Exploitation of Children Program; Tuscaloosa YMCA At-Risk Youth Program; University of Delaware's Center for Drug and Alcohol Studies; Urban League of Eastern Massachusetts After-School Program; Youth Shelter Project in Clatsop County, Oregon; and Youth, Prepared for Success, New Jersey Council of Urban Leagues.

Discretionary Grants.—The conference agreement includes $79,600,000 for part E programs. Within the amounts provided, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on Appropriations on its intentions.

$423,000 for improvements to the Juvenile Justice Information System in the State of Hawaii;

$2,000,000 for the First Tee program;

$310,000 for the Tuscaloosa YMCA At-Risk Youth Program;

$2,000,000 for the Alaska Child Abuse Investigation Program;

$4,000,000 for the Eisenhower Foundation for the Youth Safe Haven program;

$1,000,000 for Missouri Juvenile Justice Information System;

$25,000 for the Capitol Area Boy Scouts;

$150,000 for the Leadership Academy, Abbeville, Alabama;

$600,000 for the Alaska Children's Trust;

$547,000 for the National Child Protection Development and Training Center at Winona State University;

$750,000 to the Alaska Mentoring Demonstration Project;

$375,000 for the YMCA of Albuquerque, NM, for after-school programs for at-risk children;

$600,000 for the Birmingham Educational Technology Center;

$3,000,000 for the Cal Ripken Sr. Foundation for youth prevention programs aimed at leadership, teamwork, and drug prevention;

$100,000 for the City of Wrangell, AK, Youth Court;

$750,000 for Court House, Inc. Youth Programs, CO;

$1,500,000 for the Crimes Against Children Research Center, NH;

$2,000,000 to expand and replicate the Girl Scouts' Beyond Bars and PAVE programs;

$1,500,000 for the Girls and Boys Town USA National Projects;

$5,000,000 for continuation and expansion of the Junior Achievement program;

$500,000 for the Juvenile and Offender Treatment and Prevention Project in Tulsa County, OK;

$400,000 for the juvenile fire setting prevention program;

$500,000 for LOVE Social Services in Fairbanks, AK;

$600,000 for Pennsylvania's Martin Luther King, Jr. Center for Non-Violence to continue its Life Skills program which enables students to work alongside business and industry mentors;

$1,900,000 for the National, Coordinated Law-Related Education program;

$300,000 for the Ohio Attorney General's Office Amber Alert/SORN Program;

$300,000 for the Open Door Youth Gang Alternative;

$250,000 to Opportunities Industrialization Centers of America [OIC] for a program that works with adjudicated youth and provides alternative sentencing and job skills;

$500,000 for the outdoor education and outreach program run by the Daniel Webster Council of the Boy Scouts of America;

$50,000 for operations at the Prevent Child Abuse New Hampshire program;

$150,000 for the Teen Shelter Project in Alabama;

$1,000,000 to Western Kentucky University Spotlight Youth;

$800,000 for the Youth Violence Prevention Research Project at the University of South Alabama;

$350,000 for the Rialto, CA, Police Activities League [PAL] Program;

$250,000 for prevention of the commercial sexual exploitation of children;

$300,000 for the Wynona Lipman Child Advocacy Center in Newark, NJ;

$200,000 for Covenant House New Jersey for its Rights of Passage Program;

$250,000 to the Oglala Sioux Tribe in Pine Ridge, SD, for the Flowering Tree program;

$250,000 to Our Home, Inc. in Huron South Dakota for programming and equipment at its Parkston, SD, juvenile group care facility;

$300,000 for the Los Angeles, CA, CLEAR Program;

$300,000 for the Iowa Child Advocacy Domestic Violence Initiative;

$2,000,000 for the South Carolina Truancy and Dropout Prevention Initiative;

$750,000 to the Low Country Children's Center in South Carolina for continued support for a collaborative effort among local organizations in Charleston that provide full services to children who have been abused;

$300,000 to the Vermont Children Forum;

$250,000 to Prevent Child Abuse Vermont to test its child abuse prevention model on a state-wide basis;

$245,000 to South Dakota Coalition for Children;

$75,000 for the Children's Treatment Program in the Sioux Falls Rape and Domestic Abuse Center;

$500,000 for the State of Wisconsin Office of Justice Assistance to create a program that provides services to children who witness adult domestic violence;

$900,000 to the Wisconsin Families and Schools Together [FAST] program;

$900,000 for the Wisconsin Safe and Sound Program based in Milwaukee, WI;

$300,000 for the Milwaukee Summer Stars;

$200,000 to the Rutland, VT, Area Prevention Coalition;

$300,000 for Project Return—Washington County, VT;

$150,000 for the City of Battle Creek, MI, to implement the Around the CLOCK program;

$100,000 to the Omaha Boys and Girls Club Gang Prevention Project;

$1,400,000 for the Las Vegas, NV, Family Development Foundation;

$1,750,000 for the National Council of Juvenile and Family Court Judges;

$100,000 for the Grant Sawyer Center for Justice Studies at the University of Nevada, Reno;

$250,000 for the Saginaw Youth Program;

$250,000 for the Multnomah County Oregon Children's Receiving Center;

$350,000 for the Recovery and Progress Drug Court: Breaking the Cycle of Juvenile Drug Abuse;

$600,000 for the Northwestern University's Juvenile Project;

$1,000,000 for World Vision for at-risk youth programs;

$2,000,000 for Parents Anonymous;

$624,000 for the Teens, Crime and Community program;

$250,000 for the Family, Career, and Community Leaders of America 'Stop the Violence' program;

$300,000 for Prevent Child Abuse America for the programs of the National Family Support Roundtable;

$40,000 for Partnership for Prevention for juvenile delinquency prevention programs;

$500,000 for Learning for Life;

$350,000 for the Virginia Attorney General's Office for Class Action and other educational programs in Virginia schools;

$3,000,000 for the Hamilton Fish National Institute on School and Community Violence;

$1,000,000 shall be for a national conference on domestic trafficking and prostitution. This conference, to be led by the Department of Justice, shall include participation from Federal, State and local prosecutors and law enforcement, as well as nongovernmental organizations and community leaders. Over the past several years, the conferees have provided a significant level of resources to the Department of State to combat international human trafficking. This national conference shall begin to address the problems of trafficking and prostitution within the United States;

$500,000 for the Farmington Children's Home for delinquency prevention programs;

$202,000 for the Comin' Up youth gang prevention program;

$250,000 for Detroit Rescue Mission Ministries for a youth corrections program;

$250,000 for a gambling addiction prevention program for at-risk youth in Peoria, IL;

$250,000 for the IMPACT/Night Light Program in San Bernardino County, CA, to team police officers with probation officers to reduce juvenile crime;

$750,000 for the Child Endangerment Response Coalition in Spokane, WA;

$100,000 for the Center for Women and Children, Inc. for a child abuse prevention program;

$250,000 for the Healing Tree Program for collaborative efforts with law enforcement to prevent child abuse;

$250,000 for the Best Friends Foundation for delinquency prevention programs;

$300,000 for the Community Prosecuting Attorney Service System—Safe School Initiative;

$500,000 for St. Petersburg, FL, for a delinquency prevention program;

$400,000 for the YMCA of Suncoast in Dunedin, FL, for an at-risk youth program;

$250,000 for the Pinellas County, FL, Police Athletic League;

$250,000 for the CASA program in St. Petersburg, FL;

$500,000 for the Florida Gulf Coast University Interagency Family Assessment Team program for at-risk youth;

$200,000 for the Will County, IL, Children's Advocacy Center;

$250,000 for the Gracious Promise Foundation for Project Incarceration Cycle Escape for Kids;

$500,000 for the ARISE Foundation;

$300,000 for an at-risk youth program in Harrison Township in Allegheny County, PA;

$100,000 for Laurinburg, NC, for a juvenile delinquency program;

$300,000 for the University of Connecticut for a juvenile delinquency prevention program;

$250,000 for the Residential Care Consortium for delinquency prevention programs;

$300,000 for the Yellowstone Boys and Girls Ranch for delinquency prevention programs;

$425,000 for Monroe County, NY, for a juvenile justice integration initiative;

$250,000 for the Casita Maria After-School Program and Day Camp for at-risk youth;

$200,000 for the Mary Mitchell Family and Youth Center to fund programs for at-risk youth;

$200,000 for Suffolk County, NY, for the District Attorney's anti-gang initiative;

$400,000 for the City of Florence, KY, for the SAFE Schools Model City program;

$500,000 for the Granite, UT, School District's COALITIONS Project for at-risk youth;

$500,000 for the Pine Tree Legal Center's Children's Law Project (CLP) for the State of Maine;

$200,000 for Girls Incorporated of Huntsville, AL, to work with at-risk youth;

$250,000 for the National Children's Advocacy Center;

$100,000 for the Northwest Alabama Children's Advocacy Center in Florence, AL;

$100,000 for the "The Teen Shelter" in Huntsville, AL, to work with at-risk youth;

$200,000 for "Philadelphia Safe & Sound" to expand its Youth Violence Reduction Partnership in Philadelphia, PA;

$250,000 for the Father's Day Rally Committee of Philadelphia, PA, to support youth violence interdiction programs;

$250,000 for Lucas County, OH, for the Community Mentoring Partnership for Juveniles;

$250,000 for the Appalachia Juvenile and Family Rural and Mining Crisis Program;

$150,000 for Fitchburg, MA, for the Montachusett Opportunity Council Program for At-Risk Youth;

$100,000 for Orange, MA, for the Quabbin Mediation Youth Violence Prevention Project;

$100,000 for the State of Indiana for the "No Workshops, No Jumpshots" Program;

$100,000 for the Big Brothers and Big Sisters of South Georgia for "Buddies in School";

$50,000 for Americus and Sumter County, GA, for the "Visions for Sumter" program;

$75,000 for the Urban League of Greater Columbus, GA, for the Chattahoochee Court Appointed Special Advocate Program;

$250,000 for Youth Crime Watch of America;

$500,000 for the City of Macon, GA, for services for first-time juvenile offenders and to address crime, gang, and drug problems;

$50,000 for Valdosta Technical College for "Roadmap to Success" to support at-risk youth;

$200,000 for the Overtown Youth Center in Miami, FL, for programs to support at-risk youth;

$250,000 for Chicago, IL, Public Schools for the "After-School Counts" and "After-School Matters" programs;

$150,000 for the Erikson Institute to develop the Clinical Assessment and Early Learning Center in Chicago, IL;

$100,000 for the Village of Riverdale, IL, for the Youth Intervention Program;

$300,000 for the "Operation Quality Time" program for at-risk youth in Phoenix, AZ;

$25,000 for Secaucus, NJ, to enhance school safety;

$35,000 for Palisades Park, NJ, to enhance school safety;

$100,000 for the City of Downey, CA, for an anti-gang program;

$500,000 for a demonstration project to examine racial disparities in local juvenile justice systems under Part D and Part E of the JJDPA;

$250,000 for Huntington Park, CA, for juvenile assistance activities at the Police Department Regional Youth Center;

$250,000 for the Los Angeles, CA, LA's BEST After School Enrichment Program;

$375,000 for Long Island University, Tilles Center for the Performing Arts for arts programs for at-risk children;

$50,000 for the Studio LAB in Los Angeles, CA, for the "Central City Gardens Initiative";

$100,000 for the Cypress Park Youth and Family Center in Los Angeles, CA, for programs for at-risk youths;

$100,000 for El Centro Del Pueblo youth programs;

$100,000 for A Place Called Home in Los Angeles, CA, for the expansion of the "Creative Expression" program;

$500,000 for Soundview Community in Action to expand and develop additional outreach programs for at-risk youth in the South Bronx;

$100,000 for the Long Island City/Vanderbilt YMCA's "Strong Sisters United" program;

$100,000 for Queens, NY, for a youth development program to help at-risk youth;

$314,000 to expand and enhance programming for at-risk youth in New York, NY;

$250,000 for the "Dispelling Problem Behaviors in Adjudicated Teens and At-Risk Youth" initiative in the Barrio of Corpus Christi, TX;

$300,000 for the Brooklyn Academy of Music for programs in support of at-risk youth;

$400,000 for the Brooklyn Public Library for "Library Cadet Program" in support of at-risk youth;

$50,000 for the Hacienda-La Puente, CA, Unified School District for the Seniors With Interests in New Generations Delinquency Prevention Program;

$250,000 for the City of Detroit, MI, for the Mayor's Time Public Safety and Public Service Academies in support of at-risk youth;

$250,000 for the University of North Carolina at Chapel Hill to implement a new "Career Start" model of middle school education to prevent juvenile delinquency;

$150,000 for the Caribbean American Steel Pan Education Center in New York for COMMUNITYSAFE;

$200,000 for El Puente's "Youth Leadership Center";

$150,000 for Providence Holy Cross Medical Center for programs to assist at-risk youth;

$100,000 for the Santa Barbara, CA, Police Department for the Police Activities League;

$150,000 for the Urban League of Eastern Massachusetts for programs for at-risk youth;

$200,000 for the Baltimore, MD, City Board of School Commissioners to develop alternative education centers for at-risk youth;

$100,000 for Lane County, OR, for the "Breaking the Cycle" program for juveniles;

$100,000 for the Gateway Foundation for programs in support of at-risk youth;

$100,000 for the National Institute for Law and Equity for a research project on at-risk juveniles;

$100,000 for the Institute for International Sport for projects to prevent youth crime;

$250,000 for the Southern Christian Leadership Conference for juvenile delinquency and mentoring programs;

$100,000 for the Suffolk University Law School for the Juvenile Justice Center;

$100,000 for Union County College for the "College for Teens" program for at-risk youth;

$100,000 for the Martin Luther King, Jr. Community Center in Houston, TX, for juvenile crime prevention programs;

$150,000 for the Northwest Regional Educational Laboratory for an after-school program for at-risk youth;

$100,000 for the Martin Luther King, Jr. Freedom Center in Oakland, CA, to promote conflict resolution and decrease youth violence;

$100,000 for the New Jersey Community Development Corporation for the Paterson Center for At-Risk Youth;

$200,000 for the Southern Vermont Recreation Center Foundation for at-risk youth crime prevention programs;

$100,000 for the Richmond, VA, Midnight Basketball League for their "No Workshops . . . No Jump Shots" program for at-risk youth;

$100,000 for the Humboldt County, CA, Gang Risk Intervention Program;

$250,000 for Los Angeles Community Law Enforcement and Recovery (CLEAR), Hollenbeck Division, for a multi-jurisdictional program to combat gangs and violence;

$100,000 for delinquency prevention and safe school programs in North Carolina;

$100,000 for Labor and Industry for Education (LIFE) in Hewlett, NY, to expand its after school and prevention programs for at-risk youth.

The conferees recognize Project CRAFT (Community, Restitution, and Apprenticeship-Focused Training), a program of the Home Builders Institute, the workforce development arm of the National Association of Home Builders, as a model intervention technique in the rehabilitation and reduced recidivism of adjudicated youth. The conferees encourage OJP to replicate Project CRAFT.

The conference agreement adopts by reference the House report language concerning "hazing" activities and submission of a report to the Committee on Appropriations within 180 days of enactment of this Act on the prevalence of such incidents and on the strategies that can be used by school and law enforcement officials to address these problems.

Enforcing the Underage Drinking Laws Program.—Within the funds provided in Title V, the conference agreement provides $25,000,000 for grants to assist States in enforcing underage drinking laws. Within the program for underage drinking, OJP shall make an award to the Alaska Federation of Natives to continue an Underage Drinking Prevention Program in rural Alaska including assessment and education, focusing on the children of alcoholics.

Gang Prevention.—The conference agreement includes $20,000,000 for OJP to administer a gang resistance and education program in conjunction with the Bureau of Alcohol, Tobacco, Firearms, and Explosives as described in the House report. OJP shall submit a financial plan to the Committees on Appropriations within 45 days of enactment of this Act to describe how this program will be administered.

Victims of Child Abuse Act.—The conference agreement includes $13,000,000 for the various programs authorized under the Victims of Child Abuse Act, of which not less than $9,000,000 shall be available for Child Advocacy Center.

Performance Data.—States and subgrantees shall collect and submit performance data for juvenile justice programs such as the Juvenile Accountability Block Grant program, as determined and approved by the ODJJP Administrator. Subgrantees shall provide annual performance measurement data in an Assessment Report to be designated by the State agency. Designated State agencies shall aggregate data provided by subgrants and submit such data to OJJDP in the Assessment Report, due June 30th of each fiscal year. Training and technical assistance on data collection and reporting will be made available to grantees and subgrantees.

PUBLIC SAFETY OFFICERS BENEFITS

The conference agreement includes $52,054,000 for this account, including $3,000,000 for disability benefits. The conferees fully fund the Department of Justice's latest estimate for this account.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING RESCISSIONS)

The conference agreement includes the following general provisions for the Department of Justice:

Section 101 provides language, included in previous Appropriations Acts, which makes up to $45,000 of the funds appropriated to the Department of Justice available to the Attorney General for reception and representation expenses.

Section 102 provides language, included in Appropriations Acts for the last seven years and prior to 1994, which prohibits the use of funds to perform abortions in the Federal Prison System.

Section 103 provides language, included in previous Appropriations Acts, which prohibits use of the funds in this bill to require any person to perform, or facilitate the performance of, an abortion.

Section 104 provides language, included in previous Appropriations Acts, which states that nothing in the previous section removes the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek to obtain abortions outside a Federal facility.

Section 105 provides language, included in previous Appropriations Acts, which allows the Department of Justice to spend up to $10,000,000 for rewards for information regarding criminal acts and acts of terrorism against a United States person or property at levels not to exceed $2,000,000 per award.

Section 106 provides language similar to language included in previous Appropriations Acts, which allows the Department of Justice, subject to the Committee's reprogramming procedures, to transfer up to 5 percent between any appropriation, but limits to 10 percent the amount that can be transferred into any one appropriation.

Section 107 provides language to continue section 114 of Public Law 107–77 during fiscal year 2004.

Section 108 provides language previously included in General Administration authorizing the Attorney General to transfer property to a State or local agency for community-based programs.

Section 109 includes language providing authorization for Department of Justice programs until the effective date of a subsequent Justice authorization act.

Section 110 includes new language regarding ethical conduct.

Section 111 includes new language regarding additional funding for Project Seahawk.

Section 112 includes new language establishing a rural justice and law enforcement commission in Alaska.

Section 113 includes new language providing for an additional amount for San Juan, Puerto Rico.

Section 114 includes new language rescinding $100,000,000 from certain unobligated balances available to the Department of Justice.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The conference agreement includes $41,994,000 for the Office of the United States Trade Representative (USTR) for fiscal year 2004, as proposed by the House, instead of $36,994,000, as proposed by the Senate.

The conference agreement adopts, by reference, language proposed by the House regarding the United States trade deficit with other nations; complaints by American businesses; and the lack of responsiveness of the USTR to American small and medium-sized businesses; and the steps taken by the PRC Government in meeting its World Trade Organization obligations, no later than 14 days after the close of the first quarter of fiscal year 2004.

The conferees expect the USTR to make use of all available mechanisms, including the safeguards delineated under the Trade Act of 1974, including Sections 301 and 421, to address the disruptions resulting from trade with the PRC.

The conference agreement adopts, by reference, language proposed by the House regarding funding for negotiations with the PRC. In addition the conferees adopt, by reference, House language concerning representation funds, and language under the headings Inadequate Budget Requests, Free Trade Agreements and WTO Negotiations, Reporting Requirements, FTAA Permanent Secretariat, WTO Fund, and WTO Negotiations.

The conference agreement adopts, by reference, language proposed by the Senate under the heading of World Trade Organization.

The conferees understand that a number of Federal agencies are involved in monitoring and enforcing our trade agreements. The conferees agree that robust monitoring and enforcement efforts are critical and that such efforts must be well coordinated within the Executive Branch. Accordingly, the conferees direct the USTR, working with the Department of Commerce and other Federal agencies, to take steps to assure that monitoring and enforcement efforts are coordinated among the Federal agencies to maximize their effectiveness and are based on a strategy that focuses on priority areas of potential trade violations. USTR is directed to report back to the Committees on Appropriations on these steps within 120 days of the enactment of this Act.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $58,295,000 as proposed by the Senate for the International Trade Commission for fiscal year 2004, instead of $57,000,000, as proposed by the House.

The conference agreement adopts, by reference, Senate language regarding EDIS II, an electronic filing project and a certain report.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The conference agreement includes $395,123,000 in total resources for the programs of the International Trade Administration (ITA) for fiscal year 2004, of which $13,000,000 is to be derived from fee collections, as proposed by the House, instead of $375,053,000, of which $3,000,000 is to be derived from fee collections, as proposed by the Senate.

The conference agreement adopts by reference language in the House report regarding the mission of the ITA, the failure of ITA to meet its mission, and the May 22, 2003 public hearing on the efforts of the International Trade Administration, the Bureau of Customs, and the Office of the United States Trade Representative to support U.S. businesses.

The conferees understand the difficulties in attempting to balance the positive and the negative effects of a free trade agenda. The conferees are steadfast in their support of America's trade policy to create growth and raise living standards around the globe, and in return to increase the benefits to U.S. workers, farmers, consumers, and businesses. Yet, the U.S. Government must uphold its responsibility to enforce trade laws, particularly with China. If trading partners do not abide by the rules that are set in the global trading system, then U.S firms are not competing on a level playing field.

The United States Government has an obligation to ensure American companies are not forced to compete with foreign companies that are engaged in unfair trading practices, including receiving subsidies from their governments.

The conference agreement includes by reference House report language regarding the Trade Policy Body Review, Reports, Reorganization, Trade Promotion, American Trading Centers, Manufacturing and Services, Import Administration, Investigations/Operations, Office of China Compliance, Policy and Negotiations, New Shipper Review Process, Market Access and Compliance, Executive Direction/Administration, Human Rights Training, Trade Missions, International Standards, and Travel Expenditures.

The conferees direct the Secretary of Commerce to report back to the Committees on Appropriations, no later than January 20, 2004, on the trade and U.S. employment impact of the currency valuation of our trading partners including, China, Japan, Vietnam, South Korea, Taiwan, the Ukraine, and Indonesia.

The conferees expect the Secretary of Commerce, in consultation with the U.S.-China Economic and Security Commission to report back to the Committees no later than May 1, 2004. The conferees have extended the deadline further than the deadline proposed in the House report.

The conference agreement includes bill language designating the amounts available for each unit within ITA. The conferees remind ITA that any deviation from the funding distribution provided in the bill and report, including carryover balances, is subject to reprogramming procedures set forth in section 605 of this Act. In addition, ITA is directed to submit to the Committees on Appropriations, not later than 60 days after the enactment of this Act, a spending plan for all ITA units that incorporates any carryover balances from prior fiscal years.

The conference agreement includes $10,000,000 for the National Textile Center, $3,000,000 for the Textile/Clothing Technology Corporation, $1,000,000 for the Kansas Trade Center, and $500,000 for the International Trade Processing Center, as proposed by the Senate.

The conference agreement adopts, by reference, language as proposed by the Senate under the heading of World Trade Organization.

The conference agreement adopts, by reference, language regarding the Appalachian-Turkish Trade Project as proposed by the Senate.

The conference agreement adopts, by reference, language proposed in the House regarding an international competitiveness program and the Office of Textiles.

Of the amounts provided, $500,000 is for a comprehensive study of future domestic demand for steel.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

The conference agreement includes a total operating level of $68,203,000 for the operations and administration of the Bureau of Industry and Security (BIS), as proposed by the House, instead of $73,060,000, as proposed by the Senate.

The conference agreement adopts, by reference, House report language under the headings of Export Administration, Export Enforcement, and Management and Policy Coordination.

The conferees are aware of the invaluable expert technical capabilities of the seized computer evidence recovery specialists. However, due to the shortage of specialists within BIS, the conferees direct BIS to forge a closer relationship with the Federal Bureau of Investigation (FBI) in this area to take greater advantage of the FBI's technical expertise.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conference agreement includes $288,115,000 for Economic Development Assistance (EDA) Programs. The conferees direct EDA to continue traditional programs to provide needed assistance to communities struggling with long-term economic dislocation, as well as sudden and severe economic dislocation. Of the amounts provided, $202,280,000 is for Public Works and Economic Development, $40,900,000 is for Economic Adjustment Assistance, $24,000,000 is for planning, $8,435,000 is for technical assistance,

including university centers, $12,000,000 is for trade adjustment assistance, and $500,000 is for research.

The conference agreement adopts, by reference, proposed by the House regarding coal and timber industry downturns.

The conference agreement adopts, by reference, Senate language regarding the economic downturns including the timber, steel, and coal industries, United States-Canadian trade-related issues, communities in New England, the mid-Atlantic, Hawaii, and Alaska impacted by fisheries regulations, and communities in the southeast impacted by downturns due to the North American Free Trade Agreement, and a certain report.

SALARIES AND EXPENSES

The conference agreement includes $30,565,000 as proposed by both the Senate and the House.

The conference agreement adopts, by reference, House language regarding efforts to maximize the operating funding level, a special headquarters reserve fund, Indian lands, employees, and requirements for reorganization proposals.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The conference agreement includes $28,859,000 for the Minority Business Development Agency for fiscal year 2004, instead of $29,000,000 as proposed by the House, and $28,718,000 as proposed by the Senate. The conference agreement adopts, by reference, House language regarding the Entrepreneurial Technology Apprenticeship Program.

The conference agreement adopts, by reference, Senate language regarding the Office of Native American Business Development.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The conference agreement includes $75,000,000, as proposed by the House, instead of $84,756,000 as proposed by the Senate for the economic and statistical analysis programs of the Department of Commerce, including the Bureau of Economic Analysis (BEA), for fiscal year 2004.

The BEA has received programmatic increases over the past three years to ensure that policy makers have access to more accurate and timely economic data.

BUREAU OF THE CENSUS

The conference agreement includes a total operating level of $630,864,000 for the Bureau of the Census, instead of $661,961,000 as proposed by the House, and $550,878,000 as proposed by the Senate.

SALARIES AND EXPENSES

The conference agreement includes $194,811,000 for the salaries and expenses of the Bureau of the Census for fiscal year 2004, instead of $181,811,000 as proposed by the Senate, and $220,908,000 as proposed by the House.

The conference agreement adopts by reference House report regarding the highest priority core activities, reimbursement, the North American Industry Classification System (NAICS), key reports, and Advanced Technology.

PERIODIC CENSUSES AND PROGRAMS

The conference agreement includes a total of $436,053,000 for all periodic censuses and related programs in fiscal year 2004, as proposed by the House, instead of $369,067,000 as proposed by the Senate.

The conference agreement adopts language proposed by the House under the American Community Survey (ACS), Master Address File (MAF)/Topologically Integrated Geographic Encoding and Referencing (TIGER), and Subgroup Enumeration.

The conference agreement includes $107,090,000 for the re-engineered design process, of which $3,605,000 is for design strategy, $18,559,000 is for data collection design research, $16,969,000 is for questionnaire and content design, $3,900,000 is for address list updates, $22,287,000 is for software related to quality assurance and integration, and $41,770,000 is for test evaluation.

The conference agreement includes funding as proposed by the House for the non-decennial census periodic programs.

The conferees expect to be kept apprised on a monthly basis on the expenditure of these funds.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The conference agreement includes a total of $51,604,000 for the National Telecommunications and Information Administration (NTIA), instead of $32,544,000 as proposed by the House, and $85,542,000 as proposed by the Senate.

SALARIES AND EXPENSES

The conference agreement includes $14,604,000 for the Salaries and Expenses appropriation of the NTIA as proposed by the House, instead of $15,042,000 as proposed by the Senate.

The conference agreement adopts, by reference, language proposed by the House regarding electromagnetic spectrum and a report regarding the allocation of spectrum.

The conference agreement adopts, by reference, language proposed by the House regarding the maximization of the operating level and reimbursements.

The conference agreement adopts, by reference, language proposed by the Senate regarding a paperless system.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The conference agreement includes $22,000,000, instead of $2,538,000 as proposed by the House, and $55,000,000 as proposed by the Senate.

The conference agreement adopts, by reference, language proposed by the House regarding public television stations, and language proposed by the Senate regarding digital broadcasting as it relates to rural areas.

INFORMATION INFRASTRUCTURE GRANTS

The conference agreement includes $15,000,000 for the Information Infrastructure Grant program, instead of $15,402,000 as proposed in the House, and $15,500,000 as proposed by the Senate.

The conferees expect NTIA to give preference to applications relating to the expansion of commercial entities to enable local communities to attract commercial investment to spur growth of American jobs, especially in the areas of education, health care, and public information. The conferees expect NTIA to work with the Economic Development Administration to ensure resources are leveraged to result in the largest benefit to local communities suffering from economic downturns.

The conference agreement adopts, by reference, language proposed by the Senate regarding the eligibility of certain law enforcement entities for funding.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The conference agreement includes $1,222,460,000 for the United States Patent and Trademark Office (USPTO) for fiscal year 2004, instead of $1,238,700,000 as proposed by the House, and $1,217,460,000 as proposed by the Senate.

The conference agreement includes language restricting certain travel payments. The conferees note that there is broad agreement that the patent process is in dire need of reform.

The conference agreement adopts, by reference, language proposed by both the House and Senate regarding the Administration's legislative fee proposal.

The conference agreement adopts, by reference, language proposed by the House regarding the National Inventor's Hall of Fame and Inventure Place and the International Intellectual Property Institute.

The conferees remind the PTO that any changes from the funding distribution provided in the bill and report including carryover balances are subject to the reprogramming procedures set forth in section 605 of this Act.

In addition, PTO is directed to submit to the Committees on Appropriations, not later than three months after the enactment of this Act, a spending plan, which incorporates any carryover balances from previous fiscal years and any increases to the patent or trademark fee structure.

The conferees adopt, by reference, language proposed by the House regarding intellectual property protections for American businesses in international negotiations and telework.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $6,411,000 under this heading, instead of $7,822,000 as proposed by the House, and no funding as proposed by the Senate.

The conference agreement includes $450,000 for the National Medal of Technology Program under the heading "National Institute of Standards and Technology, Scientific and Technical Research and Services".

The conference agreement includes $600,000 for the Office of Space Commercialization and $500,000 for the Interagency Global Positioning System Executive Board Secretariat under the heading of "National Oceanic and Atmospheric Administration, Operations, Research, and Facilities".

The conference agreement provides $335,000 for the Technology Administration to conduct an assessment of the extent and implications of workforce globalization in knowledge-based industries such as life sciences, information technology, semi-conductors and financial services. The conferees expect the assessment to focus on U.S. firms' business strategies and practices, as well as the education and training programs in countries such as Japan, China, and India. The conferees expect monthly updates on the progress of this effort, and direct that a summary of findings be reported back to the Committees on Appropriations no later than six months from enactment of this Act.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The conference agreement includes $628,102,000 for the National Institute of Standards and Technology (NIST) for fiscal year 2004, instead of $460,059,000 as proposed by the House, and $845,000,000 as proposed by the Senate.

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The conference agreement includes $344,366,000 for the Scientific and Technical Research and Services (core programs) of the NIST, instead of $357,862,000 as proposed by the House, and $391,147,000 as proposed by the Senate.

The following is a breakdown of the amounts provided under this account by activity.

	Fiscal Year 2004 Recommendation ($ in 000)
Electronics & Electrical	$44,700
Manufacturing Engineering	21,800
Chemical	42,313
Physics	37,675
Building and Fire Research	21,542
Materials Science & Engineering	53,000
Computer & Applied Mathematics	49,478

	Fiscal Year 2004 Recommendation ($ in 000)
Technology Assistance	15,000
Award Programs	5,655
Research Support	53,203
Total, STRS	344,366

Under the Electronics and Electrical heading, $3,000,000 is for the Office of Law Enforcement Standards, $1,200,000 is for the For Inspiration and Recognition of Science and Technology Program (FIRST), and $500,000 is for a joint project between FIRST and the Boston Museum of Science.

Under the Manufacturing heading, $800,000 is for a spreadsheet engineering initiative at the Tuck School of Business.

Under the Chemical Science and Technology heading, $1,600,000 is for the Hollings Marine Laboratory, and $400,000 for advanced measurements, standards, and data that health care providers and researchers need to improve health care quality.

Under the Physics heading, $725,000 is for the necessary critical back-up elements for the NIST time scale and time dissemination services, and $1,450,000 is for research to develop measurements and standards for nanotechnology-based products.

Under the Building and Fire heading, $3,000,000 is for costs relating to the World Trade Center investigation, $1,900,000 is to continue a certain wind demonstration project in Texas, and $600,000 is for a school safety and preparedness project at the National Infrastructure Institute.

Under the Award Program heading, $450,000 is for costs associated with the National Medal of Technology.

In addition, under the Research Support heading, $2,400,000 is to continue a certain telework project, $6,500,000 is to continue a certain critical infrastructure program, and $5,500,000 is for maintenance and operations costs at the Advanced Measurement Laboratory.

The agreement does not include an increase to the amount to be transferred to the working capital fund.

The conference agreement adopts, by reference, language included in past years, regarding the A–76 contracting process.

INDUSTRIAL TECHNOLOGY SERVICES

The conference agreement includes $218,782,000 for the Industrial Technology Services appropriation of the National Institute of Standards and Technology, instead of $39,607,000 as proposed by the House, and $369,223,000 as proposed by the Senate.

The conference agreement includes $179,175,000 for the Advanced Technology Program, instead of $259,600,000 as proposed by the Senate and no funding as proposed by the House. The conference agreement does not include a $50,000,000 new program as proposed by the Senate for ATP focused competitions on homeland security technologies. The conferees agree that a focused competition on homeland security technologies should be held out of the $60,700,000 provided for new awards.

The conference agreement includes $39,607,000 for Manufacturing Extension Partnership, the same amount as proposed by the House, instead of $106,000,000 as proposed by the Senate.

CONSTRUCTION OF RESEARCH FACILITIES

The conference agreement includes $64,954,000 for the construction and major renovations of the NIST campuses at Boulder, Colorado, and Gaithersburg, Maryland.

The Committee directs NIST to report to the Committees on Appropriations on the progress of these construction projects on a quarterly basis beginning with the second quarter of fiscal year 2004.

This account supports all NIST activities by providing state of the art facilities necessary to carry out the NIST mission.

The conference agreement provides sufficient funding to complete the new Advanced Measurement Laboratory in Gaithersburg, Maryland and the conferees expect occupancy by 2005.

The conference agreement adopts, by reference, language proposed by the Senate regarding a facilities improvement plan.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conference agreement does not include $20,743,000 for the International Fisheries Commissions under this heading, as proposed by the Senate, and provides funding for this purpose under Title IV of this Act. The conference agreement does not include $5,000,000 for a new litigation and settlement fund, as proposed by the Senate.

The conference agreement fulfills the agreement regarding conservation activities as included in the Title VII of the Interior and Related Agencies Appropriation Act of 2001.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes total funding of $2,748,520,000, as proposed by the Senate, instead of $2,259,705,000 as proposed by the House. Of the amounts provided, $62,000,000 is from balances in the account entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", instead of $79,251,000 as proposed by the House, and $52,000,000 as proposed by the Senate.

The conference agreement includes language to allow NOAA to retain gifts and contributions made under the Marine Sanctuary Program.

Language is also included in the bill specifying the total amount of direct obligations available for each of the NOAA line offices and other related activities funded through this account. The conference agreement includes language prohibiting administrative charges levied against certain activities assigned in the bill or the report accompanying this Act.

NOAA is directed to submit a spending plan to the Committees on Appropriations at a level of detail comparable to that of the tables included in this report. The plan shall be delivered not later than 60 days after the enactment of this Act.

The conferees expect NOAA to comply with reprogramming and transfer requirements under sections 204 and 605 of this Act.

The conference agreement adopts, by reference, the direction and reporting requirements included in language proposed by the Senate under the heading of Pacific Salmon Funding, including language relating to validation monitoring.

The following identifies the activities, sub-activities, and projects funded in this appropriation:

NATIONAL OCEAN SERVICE

The conference agreement includes a total of $513,910,000 for activities of the National Ocean Service (NOS) for fiscal year 2004.

The conference agreement adopts, by reference, language proposed by the House under the heading of Mapping and Charting.

The conference agreement adopts, by reference, language proposed by the House under the heading Long-Term Vessel Charter.

The conference agreement provides an additional $2,500,000 for this purpose. The conferees expect to be kept apprised of any changes to the plan.

The conferees continue to support the implementation of the Physical Oceanographic Real-Time System program and the National Water Level Operation Network, including work in the Great Lakes.

The conference agreement includes funding to increase coastal ocean monitoring and prediction efforts for West Florida.

The conferees recognize and support the work of NOAA and the U.S. Coral Reef Task Force (CRTF) to protect and preserve coral reefs. Coral reefs are the most complex, species-rich and productive marine ecosystems. Reefs cover two percent of the ocean's floor, yet they support one-third of all marine fish species and tens of thousands of other marine species, providing essential fish habitat for endangered and threatened species, and harboring protected marine mammals and turtles. Coral reef fisheries yield 6 million metric tons of fish catch annually, with one-quarter of total worldwide fish production occurring in developing countries with coral reefs. NOAA and the CRTF are developing and implementing coordinated efforts to map and monitor U.S. coral reefs, research coral reef degradation, reduce and mitigate coral reef degradation from pollution and other causes, and carry out strategies to promote conservation and sustainable use of coral reefs internationally.

The conference agreement adopts, by reference, language proposed by the Senate under the headings of Budget Structure and Various. The conference agreement consolidates all NOAA coral reef funding under NOS. The conferees expect NOAA to prepare a spending plan for coral reef funding and deliver to the Committees on Appropriations, not later than January 15, 2004.

The conference agreement adopts, by reference, language proposed by the Senate under the heading of Coastal Ocean Science.

The conferees have provided a significant amount of funding during the past two years for the establishment of an integrated interagency ocean and coastal observing system. The conferees understand that NOAA has outlined a strategy for establishing a national network. The conferees expect regional entities to share the

costs of the funding the establishment of an integrated interagency ocean and coastal observing system. Therefore, the conferees plan to require all participants receiving funding from the Federal government to contribute an equal share of funds in fiscal year 2005.

Of the amounts available under the Aquatic Resources Initiative, up to $750,000 is for Bluegrass Pride, Inc.

The conference agreement includes a new structure as proposed in the Senate bill for identifying and funding extramural research. The conferees direct NOAA to submit a spending plan within 30 days outlining the process for administering the program. The conferees do not intend for the new structure to restrict current participation by the external research community or by researchers identified with the National Centers for Coastal Ocean Science laboratories. The conferees do intend, however, that greater interaction and participation occur between the external research community and Federal researchers located at NOAA's laboratories.

NATIONAL OCEAN SERVICE ($000)	FY04 Conference
NOS Operations - Salaries & Expenses	151,251
Navigation Services:	
Mapping & Charting:	
Coastal Mapping	535
MS/LA Digital Coast	500
Shoreline Mapping	3,465
Chesapeake Bay	1,000
Aerial	1,000
Hydrographic Surveys:	
Address Survey Backlog/Contracts	21,300
EEZ Outer Continental Shelf Ocean Bottom Claims	2,226
Gulf of Alaska	2,500
North Pacific	1,000
North Pacific Maritime Boundary Line	1,000
Hydrographic Surveys	1,339
Vessel Lease/Time Charter	2,500
Joint Hydrographic Center	4,250
Joint Hydrographic Center - Bathymetric Research	3,200
Marine Modeling & Geospatial Technology	1,146
Electronic Navigational Charts	4,350
Nautical Charting	6,759
Navigational Services	1,885
Subtotal, Mapping and Charting	59,955
Geodesy:	
CA	1,000
WA	500
AL	1,989
LA	497
MS	500
NC	993
SC	497
WI	2,989
National Spatial Reference System	2,150
Subtotal, Geodesy	11,115
Tide & Current Data:	
Alaska Current & Tide Data	1,500
Upper Cook Inlet Tidal Research	497
Great Lakes NWLON	1,987

NATIONAL OCEAN SERVICE ($000)	FY04 Conference
Nat'l Water Level Observation Network (NWLON)	3,000
Physical Oceanographic Real-Time Sys (PORTS)	2,981
Subtotal, Tide & Current Data	9,965
Total, Navigation Services	81,035
Coastal Assessment Program:	
Aquatic Research Consortium--MS	2,500
Coastal Change Analysis	500
Alliance for Coastal Technologies (CBL/UMD)	2,500
CA Ctr. for Integrative Coastal Research (CI-CORE)	2,500
Carolina Coastal Ocean Obs & Prediction Sys (USC)	2,500
Center for Coastal Ocean Obs & Analysis (UNH)	2,500
Center for Integrated Marine Technologies (USoCal)	2,500
Coastal Observation Technology System (CSC)	2,200
Coastal Ocean Research & Monitoring Pgm (UNCW)	2,500
Gulf of Alaska Ecosystem Monitoring	750
Gulf of Maine Observing System	2,000
Long Island Sound Coastal Observing System	1,800
Southeastern Coastal Ocean Observing System	2,000
SoCal Coastal Ocean Observing System (Scripps)	2,000
Wallops Ocean Observation Project	2,000
Coastal Monitoring & Prediction--West coast FL	1,250
Coastal Rest. & Enhance. thru S&T (CREST)	500
Coastal Services Center	19,000
Coastal Storms	2,750
Coop Inst for Coastal & Estuarine Enviro Tech (CICEET)	6,550
National Coral Reef Program	23,850
Florida--National Coral Reef Institute	1,000
Hawaii Coral nitiative	1,250
Nature Conservancy of HI Marine Program	250
Puerto Rico DNER Coral Reef Initiative	500
JASON Education and Outreach	2,484
Lake Pontchartrain	1,987
National Fish and Wildlife Foundation - NFWF	1,490
Pacific Services Center	1,987
B-WET Hawaii	500
Subtotal, Coastal Assessment Program	96,098
Response and Restoration:	
Aquatic Resource Environmental Initiative- KY	4,968

NATIONAL OCEAN SERVICE ($000)	FY04 Conference
Center for Marine Spill Response Technology	2,000
Coastal Protection and Restoration Project	1,864
Damage Assessment Program	2,282
Edisto Beach Marsh Restoration	100
Hazardous Materials Response Program	1,619
Marine Deberis Removal - Alaska	500
Marine Debris Removal - South Carolina	175
Subtotal, Response and Restoration	13,508
Coastal Research:	
Monterey Bay Watershed	500
Prince William Sound Science Center (Now/Forecast)	500
South Florida Ecosystem	900
Woods Hole HAB	2,500
Subtotal, Coastal Research	4,400
National Centers for Coastal Ocean Science (NCCOS):	
Ctr for Coastal Environ'l Health & Biomoleclr Research	7,923
Extramural Research	3,857
LUCES & high salinity estuaries (Baruch)	2,000
Oxford, MD	3,000
Extramural Research	2,000
Center for Coastal Fisheries Habitat Research	1,148
Extramural Research	1,750
Center for Coastal Monitoring & Assessment	2,196
Extramural Research	2,000
Center for Sponsored Coastal Ocean Research	1,500
Marine Environment Health Research Lab (MERHL)	4,000
Subtotal, NCCOS	31,374
Coastal Ocean Science	
South Florida Ecosystem (monitoring)	1,192
Subtotal, Coastal Ocean Science	1,192
Coastal Management	
CZM Grants	68,518
Marine Protected Areas	3,974
National Estuarine Research Reserve System	16,294
Nonpoint Pollution Implementation Grants	9,936
Subtotal, Coastal Management	98,722
Marine Sanctuary Program	
Marine Sanctuary Continuing Activities	32,787

NATIONAL OCEAN SERVICE ($000)	FY04 Conference
Northwest Straits Citizens Advisory Commission	750
Subtotal, Marine Sanctuary Program	33,537
Payment to OMAO	2,793
GRAND TOTAL, NATIONAL OCEAN SERVICE - ORF	513,910

NATIONAL MARINE FISHERIES SERVICE

The conference agreement includes $639,990,000 for the operations of the National Marine Fisheries Service (NMFS).

The conference agreement adopts, by reference, language proposed by the House under the heading of Regulatory Streamlining.

The conference agreement adopts, by reference, language proposed by the Senate under the headings of Base Funding, Regional Office Financial Accountability, Fisheries Enforcement, Enforcement and Surveillance, International Conservation of Sea Turtles, Decline Pacific Marine Mammals, Enforcement of International Dolphin Agreement, Gulf/Atlantic Turtle Excluder Devices, Fisheries Research and Management, Seafood Inspections, and Ecosystem Management.

The conferees remain concerned regarding the seismic and erosion conditions near the Southwest Fisheries Science Center (SWSC). The conferees understand that economies of scale may be achieved by collocating the SWSC with other NOAA facilities in California. In 1997, the Department of Commerce Office of the Inspector General issued a report, which highlighted options for relocation of the SWSC. The Committee directs NOAA to issue a follow-on report on the best location for SWSC facilities by no later than June 30, 2004.

The conferees expect NMFS to allocate sufficient funds to achieve ten percent observer coverage in the New England groundfish fishery, and in the non-directed fishery to the extent practicable, by no later than May 1, 2004.

The conferees expect NOAA to continue to support the Center for Coastal Studies' efforts regarding right whale protection and expect the final funding allocation to be based on recommendations of the right whale program coordinator at the Center.

The conference agreement adopts, by reference, language proposed by the House under the headings of Chesapeake Bay, Habitat Conservation and Management, NMFS Facilities Maintenance, and Saltonstall-Kennedy.

The conferees recognize the value of NOAA presence and programs in Louisiana in serving the northern Gulf of Mexico region. The conferees expect a report to be submitted by the agency on the development and installation of a Coastal Services Center to be established in the state and to serve the Northern Gulf of Mexico Region.

The conferees understand that on February 21, 2003, the National Oceanic and Atmospheric Administration (NOAA) issued new regulations to increase the dimension of Turtle Excluder Device (TED) openings to protect endangered sea turtles. The Final Rule went into effect on April 15, 2003 in the South Atlantic and August 21, 2003, in the Gulf of Mexico. Industry representatives in Louisiana and South Texas have voiced concern about the impact of TEDs on shrimp catch and loss of income for the industry. Conservation groups and scientists, on the other hand, have expressed serious concern over the status of these turtle populations and have threatened litigation to ensure sea turtle protection. The conferees direct NOAA to work with the National Academy of Sciences on a multi-year, comprehensive in-water study designed to accurately

measure shrimp fishery effort and the impacts of such effort on sea turtle mortality, including measuring turtle-shrimp trawl interaction in the inshore, nearshore and offshore waters of the Gulf of Mexico and similar geographical locations in the South Atlantic. The conferees expect observers to be placed on the commercial shrimp fishing vessels for the purposes of the study.

The study shall evaluate innovative technologies to increase shrimp retention in TEDs but also ensure the protection of endangered and threatened sea turtles. The National Academy of Sciences shall provide an interim report to the committee every six months summarizing preliminary findings.

The conference agreement includes language transferring funding to the Marine Mammal Commission.

The conference agreement adopts, by reference, language proposed by the Senate regarding the Gulf and South Atlantic Fisheries Development Foundation.

NATIONAL MARINE FISHERIES SERVICE	FY04 Conference
Marine Mammals & Sea Turtles:	
California Sea Lions/Protected Species Management (PSM)	750
Cook Inlet Beluga	150
Dolphins:	
Bottlenose Dolphin:	
Data Analysis	1,000
Research	2,000
Take Reduction Teams	1,000
Dolphin Encirclement	2,293
Dolphin/Yellowfin Tuna Research	248
Manatees - New College (MMP)	250
Marine Mammal Protection (MMP)/NMFS Activities	4,000
Marine Mammal Strandings:	
Alaska SeaLife Center	1,000
Charleston Health and Risk Assessment	800
Prescott Grant Program	4,000
Marine Mammals, Sea Turtles & Other Species/Endangered Species Act (ES	3,477
Marine Mammal Commission Studies (protection/predation)	1,207
Native Marine Mammals:	
Alaska Eskimo Whaling Commission	497
Participation of AEWC in International Whaling Commission Meeting	100
Alaska Harbour Seals	149
Aleut Pacific Marine Resources Observers	125
Beluga Whale Committee	225
Bristol Bay Native Association	50
National Fish & Wildlife Foundation (NFWF) Species Mgmt (PSM)	1,000
North Pacific Southern Resident Orca Population (PSM)	1,500
Right Whale Activities (ESA)	10,621
Cooperative State Plans	2,000
Sea Turtles:	
ESA	5,250
Hawaiian Sea Turtles	7,300
Rancho Nuevo Sea Turtles	350
Southeastern Sea Turtles	300
Seals:	
Harbor Seals:	
Alaska Native Harbor Seal Commission	400
NMFS Activities	1,600
SeaLife Center	1,000
State of Alaska	1,000
Hawaiian Monk Seals	825

NATIONAL MARINE FISHERIES SERVICE	FY04 Conference
Ice Seals (MMP)	248
Steller Sea Lions:	
Endangered Species Act	850
N. Pacific Universities MM Consortium (and Harbor Seal Research)	2,500
Recovery Plan:	
Alaska Fisheries Foundation	1,000
Alaska Sea Life Center	6,000
Fisheries Management (North Pacific Council)	2,000
NMFS Activities	3,761
State of Alaska	2,000
Univ of AK Gulf Apex Predator	1,000
Winter Food Limitation Research (Prince William Sound SC)	1,000
Subtotal, Marine Mammals & Sea Turtles	76,826
Fish:	
Alaska Fisheries Development Foundation	1,500
Alaska Fisheries Information Network (AKFIN)	3,200
Alaska Groundfish Monitoring:	
Bering Sea Fishermen's Association Community Development Quota	175
Crab Research NMFS	473
NMFS Activities	2,087
NMFS Field Fishery Monitoring	300
NMFS Rockfish Research	340
Winter Pollock Survey	800
Alaska Near Shore Fisheries State of Alaska	1,000
Alaskan Groundfish Surveys:	
Calibration Studies	240
NMFS Activities	441
American Fisheries Act:	
Implementation	3,525
National Standards 4 and 8 State of Alaska	499
NMFS Activities	2,174
Anadromous Fish Commission -- North Pacific	750
Anadromous Grants	2,100
Atlantic Billfish Research	2,500
Atlantic Herring and Mackerel	200
Bering Sea Pollock Research	945
Bluefin Tuna Tagging - Monterey	550
Bluefish/Striped Bass:	700
Chesapeake Bay	500
Long Island Sound	250
Rutgers	827

NATIONAL MARINE FISHERIES SERVICE	FY04 Conference
Charleston Bump	650
Billfish Tagging	500
Chesapeake Bay Multi-Species Management	500
Expand Stock Assessments - Improve Data Collection	19,014
California Oceanic Cooperative Fisheries Investigation (CalCOFI)	900
Narragansett Bay (Phase II)	1,000
Fish Statistics	14,000
Atlantic States Marine Fisheries Commission	2,000
Economics & Social Sciences Research	4,200
National Fisheries Information System	2,575
National Standard 8	1,000
Fisheries Development Program:	
Hawaiian Fisheries Development	750
Product Quality and Marketing:	
Gulf Shrimp	2,000
South Atlantic Shrimp	2,000
Product Quality and Safety/Seafood Inspection	8,685
Fisheries Management Programs	27,657
Gulf Fisheries Information Network (GULF FIN) Data Collection Effort	3,500
Gulf of Maine Groundfish Survey	567
Halibut Data Collection	447
Halibut/Sablefish	1,200
Hawaii Stock Management Plan (Oceanic Institute)	500
Highly Migratory Shark Fishery Research Program (Mote)	2,000
Interjurisdictional Fisheries Grants	2,590
Interstate Fish Commissions:	
3 Commissions	750
Atlantic Cooperative Management	7,250
Large Pelagics Research Program (UNH)	3,100
Marine Fisheries Initiative (MARFIN):	
NMFS Activities	2,500
Monkfish Trawl	600
New England Stock Depletion	1,000
Pacific Coast Fisheries Information Network (PACFIN) Catch Effort Data	3,000
Recreational Fishery Harvest Monitoring/Rec. Fisheries Info Ntwk (RECFIN	3,450
RECFIN - SC (inshore recreational species assessment/tagging)	500
Red Snapper Monitoring and Research	4,968
Reduce Fishing Impacts on Essential Fish Habitat (EFH)	500
Reducing Bycatch	3,800
Gulf/Atlantic Turtle Excluder Device (GSAFD)	1,200
Regional Councils	15,000

NATIONAL MARINE FISHERIES SERVICE	FY04 Conference
Salmon:	
Atlantic Salmon:	
ESA	2,203
Recovery Plan	397
Research	705
State of Maine Salmon Recovery (PSM)	1,200
Chinook Salmon:	
Management	150
Pacific Salmon Treaty - Chinook Salmon Agreement	1,844
State of Alaska	1,340
Yukon River Chinook Salmon:	
State of Alaska	700
Yukon River Drainage Fisheries Assoc	499
Pacific Salmon:	
Columbia River:	
Endangered Species Act - Columbia River BIOP implementation	1,590
Endangered Species Studies	299
Facilities	3,365
Hatcheries and Facilities	11,457
Hatcheries - Monitor, Evaluation and Reform	1,700
Pacific Salmon Treaty	5,612
Recovery (ESA)	32,453
Western Alaska Salmon Failure - Bering Sea Fisherman's Assoc.	1,000
Virginia Fisheries Trawl Survey	500
West Coast Groundfish	5,000
Subtotal, Fish	243,943
Crustaceans & Mollusks:	
Bering Sea Crab (State of Alaska)	900
Blue Crab Advanced Research Consortium	2,000
Chesapeake Bay Oyster Restoration	2,000
Horseshoe Crab Research (HCRC)	650
Lobster Sampling	150
Mobile Bay Oyster Recovery	1,000
Non-Native Oyster Chesapeake Bay Project - VA	2,000
Oyster Restoration (Chesapeake - VIMS)	2,000
Scallop Fishery Assessment (MFI)	2,000
Shrimp Pathogens: South Carolina	650
South Carolina Oyster Recovery	1,000
Subtotal, Crustaceans & Mollusks	14,350
Enforcement & Observers:	
Enforcement & Surveillance:	

NATIONAL MARINE FISHERIES SERVICE	FY04 Conference
Driftnet Act Implementation	1,375
Ghostnet - High Seas Driftnet Detection	250
NMFS Activities	1,800
Pacific Rim Fisheries	150
State Participation - AK/WA	200
Enforcement & Surveillance	24,648
Cooperative Agreements w/States	17,275
Vessel Monitoring System	4,000
Observers/Training:	
Atlantic Coast Observers	3,328
Hawaii Longline Observer Program	4,000
N. Pacific Marine Resources Observers	1,875
N. Pacific Observer Program	800
NE Groundfish Court-Ordered Observers	9,500
S. Atlantic/Gulf Shrimp Observers	800
West Coast Observers	5,000
Subtotal, Enforcement & Observers	75,001
Habitat Conservation & Restoration:	
Bay Watersheds Education and Training Program	2,500
Connecticut River Partnership	300
Fisheries Habit Restoration:	
Bronx River Restoration	1,000
Community-Based Restoration Grants	12,000
Pinellas County Environmental	1,500
Habitat Conservation	9,218
Instream Flow Pilot Program (UNH)	600
Narragansett Bay Marine Education Program (Save the Bay)	500
Refine EFH Designations	1,000
Subtotal, Habitat Conservation & Restoration	28,618
Other Activities Supporting Fisheries:	
Antarctic Research	1,540
Center for Marine Education and Research (MS)	3,000
Chesapeake Bay Studies	3,500
Climate Regimes & Ecosystem Productivity	1,500
Conservation & Recovery with States	994
Consortium for Fisheries & Wildlife Conflict Resolution (UNH/NEA/VIMS/	500
Cooperative Research:	
Cooperative Marine Education & Research	200
Cooperative Research - North Pacific Research Board	3,000
National Cooperative Research	2,750
NE Cooperative Research	3,750

NATIONAL MARINE FISHERIES SERVICE	FY04 Conference
NEC Cooperative Marine Education & Research	200
Northeast Consortium	5,000
SC Cooperative Research	2,000
SE Cooperative Research	3,250
West Coast Groundfish Cooperative Research	1,000
Ecosystem Management:	
Gulf of Mexico	500
Middle Atlantic	500
New England	500
South Atlantic	500
FMP Extended Jurisdiction, State of Alaska	1,200
Gulf of Alaska Coastal Communities Coalition	425
Hawaiian Community Development	500
Information Analysis and Dissemination	21,508
Joint Institute for Marine & Atmospheric Research (JIMAR), HI	2,500
Magnuson-Stevens Implementation off Alaska	7,250
Marine Environmental Research Institute	300
Marine Resources Monitoring, Assessment & Prediction Pgm (MarMap)	1,250
NAPA/NAS Management Review	200
National Environmental Policy Act (NEPA)	3,000
New England Multi-Species Survey (SMAST)	3,000
Science Consortium on Ocean Research (SCORE)--NH/WA	1,000
Southeast Area Monitoring & Assessment Program (SEAMAP)	1,750
South Carolina Taxonomic Center	500
Subtotal, Other Activities Supporting Fisheries	78,567
Salaries & Expenses	115,285
Pacific Islands Regional Office	5,000
NW Fisheries Science Center (West Coast Groundfish Team)	1,700
Subtotal, Overhead	121,985
Payment to OMAO	700
GRAND TOTAL, NATIONAL MARINE FISHERERIES SERVICE - ORF	639,990

OCEANIC AND ATMOSPHERIC RESEARCH

The conference agreement includes $400,813,000 for the Oceanic and Atmospheric Research (OAR) line office.

The conferees support NOAA's efforts to provide national and international leadership on critical environmental issues, and to address the environmental research and development needs of internal NOAA customers, States, industry, and other Federal agencies. The conferees expect OAR to prioritize research efforts that have true operational benefits to NOAA.

The conference agreement adopts, by reference, language proposed by the House and Senate regarding a review of research requirements and a certain laboratory plan, and language proposed by the Senate under the heading NISA Alaska.

The conference agreement includes $12,000,000 for the National Undersea Research Program, of which $6,000,000 is for research conducted though the east coast NURP centers and $6,000,000 is for the west coast NURP centers, including Hawaiian and Pacific Center and the West Coast and Polar Regions Center. The conferees expect fiscal year 2003 funding to be available for Aquarius, and ALVIN.

Of the amounts provided under the climate research heading, $2,500,000 is for the Analytical Center for Climate and Environmental Change to enhance existing capabilities.

The conference agreement includes $500,000 to expand efforts of the Cooperative Sensor Development Laboratory in cooperation with the Atlantic Oceanographic and Meteorological Laboratory and the Pacific Marine Environmental Laboratory.

The conference agreement includes $3,525,000 for ballast water demonstrations and technologies, of which $1,700,000 is for a collaborative ballast water treatment test bed platform for the purpose of determining the effectiveness of injecting ozone into ballast water to kill invasive aquatic species. NOAA is directed to prepare, for the Committees on Appropriations, a report, no later than ninety days after the enactment of this Act, showing the impact of ozone in eradicating invasive species and the presence of any toxic effluents in the treated ballast water. Further, of the amounts provided $1,825,000 is for ballast water demonstrations to mitigate concerns in the Chesapeake Bay and the Great Lakes.

The conference agreement includes $994,000 to provide for an autonomous underwater vehicle, selected based on Brooks Act qualifications, for survey services in the deep water of the central Gulf of Mexico.

NOAA RESEARCH	FY04 Conference
Climate Research:	
Laboratories & Joint Institutes	48,000
Subtotal, Laboratories & Joint Institutions	48,000
Climate & Global Change Program	66,900
Accelerating Climate Models - IRI	1,500
Aerosols-Climate Interaction	2,000
Subtotal, Climate & Global Change Program	70,400
Climate Observations & Services:	
ARGO-Related Costs	10,950
Baseline Operations	2,500
Carbon Cycle	6,800
Climate & Environmental Change	2,500
Climate Change Assessments	646
Climate Data & Info and CLASS	1,000
Climate Modeling Center (GFDL)	5,000
Climate Reference Network	3,000
Global Climate Atmospheric Observing System	3,974
Ocean Observations/Ocean Systems	10,022
Regional Assessments, Education and Outreach	3,732
Weather-Climate Connection	900
Subtotal, Climate Observations & Services	51,024
Climate Partnership Programs:	
Abrupt Climate Change Research (U of ME)	500
Arctic Research Initiative (SEARCH)	1,987
East Tennessee Ozone Study	300
Subtotal, Climate Partnership Programs	2,787
Total, Climate Research	172,211
Laboratories & Joint Institutes	39,097
U.S. Weather Research Program	5,314
Targeted Wind Sensing	2,000
Subtotal, U.S. Weather Research Program	7,314
Weather & Air Partnership Programs:	
AIRMAP	5,000
New England Air Quality Study	3,000
Remote Sensing Research (ISU/BCAL)	500
STORM	500

NOAA RESEARCH	FY04 Conference
Tornado Severe Storm Research (PAR Evaluation)	1,001
Subtotal, Weather & Air Partnership Programs	10,001
Total, Weather & Air Quality Research	56,412
Ocean, Coastal, and Great Lakes Research:	
Laboratories & Joint Institutes	20,398
Milfoil (NH)	590
Subtotal, Ocean, Coastal, and Great Lakes Research	20,988
National Sea Grant College Program Continuing Activities	54,410
Aquatic Nuisance Species/Zebra Mussel Research	2,981
Fish Extension	2,000
Gulf of Mexico Oyster Initiative	1,000
Marine Invasive Species Program (HI)	250
Oyster Disease Research	1,987
Subtotal, National Sea Grant College Program	62,628
National Undersea Research Program - Continuing Activities	12,000
National Institute for Undersea Science and Technology	5,000
Ocean Exploration	13,200
Submersible Microtechnology Research (LA)	994
NMNH East Wing (Oceans)	16,000
Ocean & Coastal Partnership Programs:	
Aquatic Ecosystems-Canaan Valley Institute	4,272
Arctic Research	1,703
Cooperative Institute for New England Mariculture and Fisheries	3,000
Cooperative Sensor Development Lab for Oceans & Climate	500
Great Lakes Toxicity	500
Gulf of Maine Habitat Restoration Initiative (GOM Council)	1,000
Institute for Science, Technology & Public Policy (Texas A&M)	1,000
Lake Champlain Research Consortium	250
National Invasive Species Act - Alaska	1,300
Ballast Water Demonstrations - Chesapeake Bay and Great Lakes	3,525
NOAA Marine Aquaculture Program	785
Pacific Tropical Ornamental Fish	500
Ocean Health Initiative	10,000
Subtotal, Ocean & Coastal Partnership Programs	28,335
Total, Ocean, Coastal, and Great Lakes Research	159,145
High Performance Information Technology	12,945
Payment to OMAO	100
GRAND TOTAL NOAA RESEARCH - ORF	400,813

NATIONAL WEATHER SERVICE

The conference agreement includes $729,685,000 for the operations of the National Weather Service.

The conference agreement adopts, by reference, language proposed by the Senate under the headings of Budget Structure, Network Integrity, NEXRAD Coverage, NOAA Profiler Network, and Phased Array Radar Engineering and Manufacturing.

The conference agreement transfers funding from the "Oceanic and Atmospheric Research" to this account for tsunami mitigation efforts.

The conference agreement includes funding for the operations of five Micronesian weather service offices located at Pohnpei, Yap, Chuuk, Koror, and Majuro, as proposed. The conferees understand that the Department of the Interior will no longer reimburse NOAA for the costs of the Compact of Free Association that expires in 2003.

The conference agreement includes funding for the Susquehanna River basin project and Delaware Basin efforts within funding for the Advanced Hydrological Prediction Services.

The conference agreement includes $100,000 for a transmitter for Kemmerer and Dubois, Wyoming.

NATIONAL WEATHER SERVICE	FY04 Conference
Aviation Weather Warnings & Forecasts	63,700
Central Forecast Guidance	39,102
Local Warnings and Forecasts	493,525
Adv. Weather Interactive Processing Sys (AWIPS)	37,570
Automated Surface Observing System (ASOS)	8,248
Gateway Back Up - Mt. Weather (recurring operations)	3,042
Next Generation Weather Radar (NEXRAD)	44,040
Subtotal, Salaries, Benefits, and Expenses	689,227
Advanced Hydrological Prediction Services	6,058
Air Quality Forecasting Pilot Program	3,000
Alaska Data Buoys	1,500
Facilities Physical Security	250
High Resolution Temperature Forecasting	4,200
Hurricane Mitigation Alliance (SUSF)	3,750
North Dakota Ag Weather Network	270
Mt. Washington Observatory	1,000
NC Flood Warning System	600
New England Weather Technology Initiative	500
NOAA Profiler Network	4,150
Pacific Island Compact	3,550
Phased Array Radar (PAR) Engineering/Manufacturing	20
Sustain Cooperative Observer Network	1,890
Tsunami Hazard Mitigation	4,300
Pacific Ocean Monitoring Buoy Augmentation	600
Tsunami Warning & Environ'l Obs for AK (TWEAK)	2,000
Weather Radio Transmitters Base	2,320
Subtotal, Programs	39,958
Payment to OMAO	500
GRAND TOTAL NATIONAL WEATHER SERVICE - ORF	729,685

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

The conference agreement includes $153,827,000 for the operational and research and development programs of the National Environmental Satellite, Data, and Information Service.

The conference agreement includes $500,000 for the Interagency Global Positioning System Executive Board Secretariat, and $600,000 for the Office of Space Commercialization. The conferees transfer these functions from the heading "Technology Administration", as proposed by the Senate.

The conference agreement adopts, by reference, language proposed by the Senate under the heading of Budget Structure.

The conference agreement includes $2,500,000 for a data storage facility in West Virginia.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE	FY04 Conference
Environmental Satellite Observing Systems	
Product Processing and Distribution	23,618
Satellite Command and Control	35,218
Subtotal, Environmental Satellite Observing Systems	58,836
Product Development, Readiness & Application	
Global Wind Demonstration	4,000
Joint Center/Accelerate Use of Satellites	1,491
NESDIS Activities	19,000
Subtotal, Product Development, Readiness & Application	24,491
Commercial Remote Sensing Licensing & Enforcement	1,200
Interagency Global Positioning System Executive Board Secretariat	500
Office of Space Commercialization	600
Total, Satellite Systems	84,527
Archive, Access & Assessment	
KY	7,925
MD	4,925
Quality assurance/quality control (NC)	1,600
WV	7,925
GOES Active Archive	2,500
NESDIS Activities	25,577
Subtotal, Archive, Access & Assessment	50,452
Coastal Data Development	4,513
Regional Climate Centers	3,000
International Pacific Research Center (U of HI)	2,000
Environmental Data Systems Modernization	11,335
Total, NOAA's Data Centers & Information Services	69,300
Payment to OMAO	300
GRAND TOTAL NESDIS-ORF	153,827

PROGRAM SUPPORT

The conference agreement includes $310,295,000 for the Program Support line office.

The conference agreement includes language to prohibit NOAA funding to support the Department of Commerce's E-government initiative.

The conference agreement adopts, by reference, language proposed by the House under the heading of Office Relocations, Pribilof Island Cleanup, and Minority Serving Institutions.

The conference agreement adopts, by reference, language proposed by the Senate under the heading of Truth in Budgeting.

PROGRAM SUPPORT	FY04 Conference
Corporate Services:	
Commerce Administrative Management System (CAMS)	9,561
Educational Partnership Program/Minority Serving Institution	15,000
National Ocean Science Competition	1,500
Office of Acquisition & Grants	2,700
Grants On-Line	1,100
Office of the Chief Administrative Officer	14,255
Office of the Chief Financial Officer	10,689
Office of the Chief Information Officer	3,610
Office of Human Resources	2,360
Office of Program Analysis & Evaluation	1,553
Payment to the DoC Working Capital Fund	38,758
Payment to the NOAA Business Management Fund	57,162
Program Planning and Integration	2,000
Under Secretary and Associate Offices	17,524
General Counsel Legal Consultation Costs	7,500
Total, Corporate Services	185,272
Facilities	
Environmental Compliance	1,987
Pribilof Islands Cleanup	8,000
Total, Facilities	9,987
Marine Operations & Maintenance	
Marine Services:	
AGATE PASS (Coastal YTT) Operations	290
FAIRWEATHER Operations	2,500
HIIALAKAI (Vindicator) Operations	2,200
LITTLEHALES Operations	290
Marine Services (Fleet Operations):	13,857
Salaries & Expenses	60,260
NOAA Corps Pay Raise Differential	1,000
OSCAR DYSON Operations	750
Univ-Nat'l Oceanographic Lab Sys (UNOLS) (Days at Sea - West Coast)	2,000
Subtotal, Marine Services	83,147
Fleet Planning and Maintenance:	
AGATE PASS (Coastal YTT) Maintenance	250
FAIRWEATHER Maintenance	740
Fleet Planning and Maintenance	10,537
LITTLEHALES Maintenance	100
Salaries & Expenses	800

PROGRAM SUPPORT	FY04 Conference
Subtotal, Fleet Planning and Maintenance	12,427
Total, Marine Operations and Maintenance	95,574
Aviation Operations:	
Program	6,067
Salaries & Expenses	12,200
Total, Aircraft Services	18,267
Future Health Care Benefits for Current Officers	1,195
Total, Marine and Aviation Operations	115,036
GRAND TOTAL PROGRAM SUPPORT - ORF	310,295

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The conference agreement includes $990,127,000 under this heading.

The conference agreement adopts, by reference, language proposed by the House under the headings of Marine Sanctuaries Construction, Construction, Geostationary Systems and Polar Orbiting Systems, and language proposed by the Senate under the headings Land Acquisition and Construction and Other NOS Facilities.

The conferees expect NOAA to submit a reprogramming, pursuant to section 605 of this Act, should a land acquisition project specifically identified in this report become no longer viable.

The following distribution reflects the activities funded within this account:

PROCUREMENT, ACQUISITION AND CONSTRUCTION	FY04 Conference
NOS:	
Coastal and Estuarine Land Conservation Program (CELCP):	
Buffalo Bend	700
East Hampton	1,000
Goleta	800
Kelly's Island	200
North Hempstead	500
Starvation Cove	600
Orange Beach (Robinson Island), AL	1,000
Elkhorn Slough/Moss Landing, CA	1,500
San Pablo Bay, CA	1,000
Sand Hill Bluff (Santa Cruz Co.), CA	2,000
South Orange Natural Community, CA	500
Mill River, CT	200
Salt Island Overlook (Westbrook), CT	300
Coastal Lands, HI	3,000
Camp Salmen, LA	700
Westwego, LA	1,600
Monomoy River (Harwich), MA	1,675
Chesapeake, Eastern Shore ("Glatfelter properties"), MD	6,000
Royal River (Yarmouth), ME	1,600
Saugatuck Dunes, MI	2,500
Mississippi Coastal Preserve System	2,000
Seacoast, NH	2,000
Barnegat Bay, NJ	2,000
Gunning Island, NJ	1,500
Bass Islands, OH	3,000
Grand River (Lake County), OH	1,000
Lake Erie Shoreline (Canal Basin), OH	3,000
Third Beach (Middletown), RI	750
Dragon's Run	1,000
Potomac Watershed/Above Washington	3,000
Bainbridge Island, WA	2,000
Maury Island, WA	2,000
Saxine Creek/Bibon Swamp (Bayfield County), WI	750
Subtotal, Coastal and Estuarine Land Conservation Program	51,375
Estuarine Land Acquistion & Construction:	
ACE Basin	4,500
Apalachicola NERR, FL	1,500

PROCUREMENT, ACQUISITION AND CONSTRUCTION	FY04 Conference
St. Jones River, DE	250
Blackbird Creek, DE	2,250
Guana Tolomato Matanzas Reserve	2,000
Jacques Cousteau NERR, NJ	3,000
Old Woman Creek NERR, OH	400
Subtotal, Estuarine Acquisition & Construction	13,900
Sec. 2 (FWCA) Coastal/Estuarine Land Acquisition:	
Bonneau Ferry, SC	16,750
Great Bay Partnership, NH	6,000
Subtotal, Sec. 2 (FWCA) Coastal/Estuarine Land Acquisition	22,750
Marine Sanctuaries Construction:	5,296
Maui Humpback Whale Sanctuary	2,200
Subtotal, Marine Sanctuary Construction	7,496
Other NOS Facilities:	
Fort Johnson Joint Laboratory (SCDNR) Modernization	2,000
Kasitsna Bay Laboratory	4,000
Conservation Institute	1,200
Marine Environmental Health Research Laboratory Expansion & Equip.	6,000
Subtotal, Other NOS Facilities	13,200
Total NOS - PAC	108,721
NMFS	
Systems Acquisition	
Computer Hardware & Software	3,492
Subtotal, NMFS Systems Acquisition	3,492
Construction:	
Aquatic Resource Program	5,000
Honolulu Lab	12,000
Pascagoula Laboratory - NMFS	2,000
Phase III - Galveston Laboratory Renovation - NMFS	2,000
Southeastern Regional Office - NMFS	1,600
Subtotal, NMFS Construction	22,600
Total, NMFS - PAC	26,092
OAR	
Systems Acquisition:	
Comprehensive Large Array Data Stewardship System	3,200
Research Supercomputing (CCRI)	10,000
Subtotal, OAR Systems Acquisition	13,200
Construction:	
Barrow Arctic Research Center (Phase I)	8,500

PROCUREMENT, ACQUISITION AND CONSTRUCTION	FY04 Conference
Subtotal, OAR Construction	8,500
Total, OAR - PAC	21,700
NWS:	
Systems Acquisition:	
Advanced Weather Interactive Processing System (AWIPS)	14,134
All Hazard National Warning Network - NOAA Weather Radio	5,500
Automated Surface Observing System (ASOS)	5,125
Next Generation Weather Radar (NEXRAD)	11,500
NWS Telecommunications Gateway (NWSTG) Legacy Replacement	2,870
Radiosonde Network Replacement	6,989
Weather and Climate Supercomputing	19,285
Weather and Climate Supercomputing - Backup	7,148
NOAA Science Center (NCEP)	10,400
WFO Construction	13,630
WFO Maintenance	7,390
Geostationary Systems	277,554
Polar Orbiting Systems	391,083
EOS & Advanced Polar Data	2,500
CIP Single Point of Failure	2,800
Coastal Remote Sensing - CSC	500
Subtotal, NESDIS Systems Acquisition	674,437
Construction:	
Suitland Facility	8,217
Subtotal, NESDIS Construction	8,217
Total, NESDIS - PAC	682,654
Program Support:	
AMNH	1,000
Maintenance - Backlog	5,000
Maintenance - Cyclical	2,550
Aircraft Upgrade & Replacement:	
G-IV Instrumentation Upgrades	4,600
Required Regulatory Upgrades to Aircraft	1,343
Turbo Commander Replacement	1,550
WP-3D Navigation Upgrade	1,645
Fisheries Research Vessel Replacement #3	17,000
Hiialakai (Vindicator) fit out	2,500
Ship Acquisition, Conversion, & Maint. (climate/hydro/fish/enf.)	4,101
Sonar for Long-Range Fisheries Research	5,700
Subtotal, OMAO Fleet Upgrade & Replacement	29,301

PROCUREMENT, ACQUISITION AND CONSTRUCTION	FY04 Conference
Total, Program Support - PAC	46,989
GRAND TOTAL PAC	990,127

PACIFIC COASTAL SALMON RECOVERY

The conference agreement includes $90,000,000, the same amount as proposed by both the House and the Senate, of which $5,000,000 is for the State of Idaho, $26,274,000 is for the State of Washington, $20,868,000 is for the State of Alaska, $13,133,000 is for the State of Oregon, $13,133,000 is for the State of California, $8,500,000 is for the Pacific coastal tribes, and $3,092,000 is for the Columbia River tribes.

Of the amounts provided to the State of Washington, $4,000,000 is for the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish report, and $1,800,000 is for the purchase of mass marking equipment used at Federal hatcheries in Washington State to promote selective fisheries and protect threatened and endangered species.

Of the funds provided for the State of Alaska, $3,500,000 is for the Arctic Yukon-Kuskokwim Sustainable Salmon initiative; $1,000,000 is for the Cook Inlet Fishing Community Assistance Program; $500,000 is for the Yukon River Drainage Association; $3,368,000 is for Fairbanks hatchery facilities; $1,500,000 is for the City of Adak for marine related infrastructure; $250,000 is for the State of Alaska to participate in discussions regarding the Columbine River hydrosystem management and for fisheries revitalization; $100,000 is for the United Fishermen of Alaska's subsistence program; $3,500,000 is to restore salmon fisheries in Anchorage at Ship Creek, Chester Creek, and Campbell Creek including habitat restoration and facilities; $1,500,000 is to restore salmon runs in Resurrection Bay at the Alaska SeaLife Center; $1,000,000 is for scientific fisheries systems riverine sonar; $150,000 is for the Southeast Revitalization Association for its fleet stabilization program; $1,000,000 is to mitigate albatross-fish interactions; $2,000,000 is for the Kenai River; $1,000,000 is for the Russian River; $200,000 is to restore the Craig watershed; and $300,000 is for Chinook Salmon Research in Auke Bay.

Of the amounts provided to the State of Oregon, $1,100,000 is for conservation mass marking at the Columbia River Hatcheries.

FISHERIES FINANCE PROGRAM ACCOUNT

The conference agreement includes language to support up to $59,000,000 to finance fishing capacity reduction loan programs, of which $40,000,000 may be used for the United States distant water tuna fleet, and $19,000,000 may be used for the United States menhaden fishery. Further, the conference agreement includes language to support up to $5,000,000 for Individual Fishing Quota loans.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes $47,289,000 for costs related to managing the Department of Commerce. Of the amount provided, $900,000 is for costs related to the renovation of the Herbert C. Hoover building. The conference agreement includes desig-

nating $1,621,000 and 12 full-time equivalents for the legislative affairs function of the Department.

The conference agreement adopts, by reference, language proposed by the House under the heading of Office Relocations.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $21,116,000 for the Inspector General for fiscal year 2004, the same amount as proposed by the Senate, instead of $22,000,000 as proposed by the House.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING RESCISSION)

The conference agreement includes the following general provisions for the Department of Commerce:

Section 201 of the bill making Department of Commerce funds available for advanced payments only upon certification of officials designated by the Secretary that such payments are considered to be in the public interest.

Section 202 making appropriations for the Department in the bill for Salaries and Expenses available for hire of passenger motor vehicles, and for services, uniforms and allowances as authorized by law.

Section 203 prohibiting any of the funds for NOAA being used to support hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

Section 204 providing the authority to transfer funds between Department of Commerce appropriation accounts and requiring notification to the Committees of certain actions.

Section 205 providing that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall not be subject to the reprogramming limitations set forth in this Act.

Section 206 allowing the Department of Commerce franchise fund to retain earnings from services.

Section 207 designating funds for certain projects.

Section 208 designating amounts available in the "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" fund and including language to provide authorities for a certain Board.

Section 209 providing authorities for the Economic Development Administration.

Section 210 authorizing the Secretary of Commerce to operate a marine laboratory.

Section 211 extending the Emergency Steel Loan Guarantee Act of 1999 and including language providing $2,000,000 to administer the program.

Section 212 providing additional funding for certain projects.

Section 213 providing the authority and amounts to administer a certain program regarding a lobster fishery.

Section 214 providing the authority and amounts to administer a certain program regarding a Bering Sea and Aleutian Islands non-pollock groundfish fishery.

Section 215 rescinding $100,000,000 from certain unobligated balances.

TITLE III—THE JUDICIARY

The conferees adopt by reference the House report language concerning the submission of a financial plan within 45 days after enactment of this Act. If shortfalls arise during the course of fiscal year 2004, the conferees expect the Judiciary to attempt to address these shortfalls through the reprogramming process, consistent with section 605 of this Act, before requesting supplemental appropriations.

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement includes $55,360,000 for the salaries and expenses of the Supreme Court, as provided by the House, instead of $59,414,000 as provided by the Senate. The conferees are supportive of the funding increases and report language included in the Senate report concerning data systems, additional personnel, and the Metrocheck transit subsidy program. Within the funding level provided, the conferees ask the Court to fund these programs to the maximum extent possible based the Court's priorities. The Court's financial plan is expected to outline the Court's allocation of funding among these priorities. As described in the Senate report, the Court is also expected to report to the Committees on Appropriations on the savings associated with hiring systems accountants to replace contractors.

The conferees adopt by reference the House report language concerning minority hiring and diversity among law clerks.

CARE OF THE BUILDING AND GROUNDS

The conference agreement includes $10,591,000 for the Supreme Court "Care of the Building and Grounds" account, as provided by the House, instead of $4,658,000 as provided by the Senate. The conference agreement adopts by reference the House report language concerning the submission of a study, within 90 days of enactment of this Act, on the feasibility of establishing a visitor screening site outside of the Supreme Court building.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The conference agreement includes $20,662,000 for the United States Court of Appeals for the Federal Circuit, as provided by the Senate, instead of $20,665,000 as provided by the House. The conference agreement provides no funding to establish a Deputy Circuit Executive, as described in the Senate report.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The conference agreement includes $14,068,000 for the U.S. Court of International Trade, as provided by the House, instead of $13,210,000 as provided by the Senate.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The conference agreement provides $3,994,176,000 for the salaries and expenses of the Courts of Appeals, District Courts and Other Judicial Services instead of $4,004,176,000 as provided by the House and $3,894,021,000 as provided by the Senate.

The conferees would like to see greater emphasis on automation in local courts. The conferees understand that the time required to hear Court cases can be reduced by as much as 15 percent through the use of technologies in the courtroom. The Conferees direct the Judiciary to continue to implement these new technologies in courtrooms.

The conferees adopt by reference the Senate report language requiring a report on the savings generated by the CM/ECF program and requiring a report on the Court Operations Support Center. The conferees adopt by reference the House report language concerning Electronic Public Access fees.

The conferees are concerned with the methodology used to prepare and the presentation of the Judiciary's information technology budget and long-range plan. The conferees expect the Administrative Office of the United States Courts (AO) to work with the Committees on Appropriations on the presentation of funding requests for this program. The conferees are concerned with the presentation of new initiatives in the O&M budget, and as well as the large amount of O&M funding required in proportion to the total information technology budget request.

The conferees understand that the Judiciary's staffing, operations and maintenance, and information technology resources are allocated to the courts according to formulas intended to equitably distribute resources based on the actual workload of each district. The conferees direct the Judiciary to update the formulas to improve their accuracy. The updates should incorporate changes in the courts' resource needs to reflect the implementation of technology enhancements such as the CM/ECF project and the unique situations that occur in districts with large geographic divisions. The conferees direct the Judiciary to report within 180 days of enactment of this Act on the Judiciary's efforts to update these formulas.

The Edwin L. Nelson Local Initiative Program.—The conferees have learned that many courts are developing significant IT solutions to meet local needs. The entire Judiciary receives great benefit from the development of automation initiatives at the local court level and the sharing of this technology with other courts will realize precious savings throughout the Judiciary. The conferees noted the inclusion of an Information Technology Grant program in

the "Long Range Plan for Information Technology in the Federal Judiciary", specifically goal 7, initiative 1. The conferees fully support this program. However the conferees understand that even though funding was included in previous years' financial plans, no grants for this program have been awarded in fiscal years 2002 or 2003. To accelerate the pace of this program, the conferees direct that no less than $2,000,000 shall be made available for the Edwin L. Nelson Local Initiatives Program. These funds shall be used to establish and operate a National Clearing House, facilitate local court collaboration, expand training opportunities at the circuit level, and provide Information Technology Grants. The conferees direct the development and execution of this new Edwin L. Nelson Local Initiatives Program shall be coordinated with United States Judicial Conference Committee on Information Technology. The conferees direct the AO to report to the Committees on Appropriations, within 90 days of enactment of this Act, on the proposed process and structure to operate the Clearing House, evaluate initiatives, distribute grants, conduct training and execute the Local Initiatives Program, as approved by the Judicial Conference. In addition, the AO shall report the status of this program no later than April 1 and September 1, 2004. The status reports shall contain, at a minimum, an activity report from the Clearing House, a list of courts receiving grants including the purpose and amount of each grant and any training conducted.

VACCINE INJURY COMPENSATION TRUST FUND

The conference agreement provides $3,193,000 from the Vaccine Injury Compensation Trust Fund instead of $3,293,000 as provided by the House and the Senate.

DEFENDER SERVICES

The conference agreement includes $604,477,000 for the Federal Judiciary's Defender Services account, instead of $613,948,000 as provided by the House and $595,006,000 as provided by the Senate.

The conference agreement does not provide any increases in panel attorney hourly pay rates above the current rates. The conference agreement adopts by reference the House and Senate report language concerning future budget requests for panel attorney pay rate increases. Conferees expect the Judiciary to address these concerns before requesting panel attorney rate increases above the rate of inflation.

FEES OF JURORS AND COMMISSIONERS

The conference agreement includes $57,822,000 for Fees of Jurors and Commissioners, instead of $53,181,000 as provided by the House and Senate. The conferees understand the Judiciary's "First Day" statistics show that the percentage of petit jurors called that are not selected, serving or challenged on their first day has increased from 33 percent in fiscal year 1997 to 39 percent in fiscal year 2002. The conferees are concerned with the decline in juror utilization rates and the associated increase in costs. The conferees direct the Judicial Conference of the United States to report to the

Committees on Appropriations within 180 days of enactment of this Act on (1) the reasons for the decline in juror utilization, (2) the impact the implementation of the Jury Modernization System has had on juror utilization, and (3) recommendations on how the Judiciary can improve the efficiency with which it calls petit jurors.

COURT SECURITY

The conference agreement includes $277,500,000 for the Federal Judiciary's Court Security account, instead of $288,941,000 as provided by the House and $266,058,000 as provided by the Senate.

The conferees adopt by reference the House report language requiring a monthly report on court security equipment and systems spending throughout fiscal year 2004. The Conferees are concerned about the delay in submitting the management study the United States Marshals Service (USMS) was directed to conduct in fiscal year 2003 and hope this study will provide recommendations to improve the administration of this program by the USMS and the Judiciary.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The conference agreement includes $66,000,000 for the Administrative Office of the United States Courts instead of $66,968,000 as provided by the House and $63,717,000 as provided by the Senate. The conferees adopt by reference the Senate report language concerning cyclical replacement of automation equipment and the Senate report language directing the AO to develop a comprehensive records management plan and inform the Committees on Appropriations of this plan as soon as possible. In addition, the conferees adopt by reference the Senate report language requiring the submission of semi-annual reports to the Committees on Appropriations on travel expenses associated with AO personnel by directorate.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The conference agreement includes $21,440,000 for salaries and expenses of the Federal Judicial Center as provided by the House, instead of $22,434,000 as provided by the Senate. The conferees laud the Center's education and training program and believe it can be a model for training programs in the Federal government.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

The conference agreement includes $29,000,000 for payment to various judicial retirement funds, as provided by the House and Senate.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $12,354,000 for the U.S. Sentencing Commission, instead of $12,746,000 as provided by the House and $12,011,000 as provided by the Senate.

GENERAL PROVISIONS—THE JUDICIARY

Section 301.—The conference agreement includes a provision included by both the House and Senate allowing appropriations to be used for services as authorized by 5 U.S.C. 3109.

Section 302.—The conference agreement includes a provision related to the transfer of funds.

Section 303.—The conference agreement includes a provision allowing up to $11,000 to be used for official representation expenses of the Judicial Conference of the United States.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

In total, the conference agreement includes $8,264,072,000 for the Department of State and the Broadcasting Board of Governors. Of the total amount provided, $8,129,093,000 is derived from general purpose discretionary funds and $134,979,000 is scored as mandatory spending. This funding level includes significant program increases to improve diplomatic readiness and security. The conference agreement includes $1,508,101,000 to continue worldwide security activities, including the design and construction of replacement facilities for the most vulnerable overseas posts.

DEPARTMENT OF STATE

The conference agreement for the Department of State is intended to continue the Department's efforts to achieve diplomatic readiness, strengthen diplomatic and border security, and institute sweeping management reforms. In the past four fiscal years, the Congress has provided appropriations increases of over 44 percent for the Department's operating budget, including funding to support the hiring and training of more than 2,000 new employees.

The conference agreement includes a total of $7,706,639,000 for fiscal year 2004 for the Department of State. Of the total amount provided, $7,571,660,000 is derived from general purpose discretionary funds and $134,979,000 is scored as mandatory spending. The overall funding level for fiscal year 2004 represents an additional 8.9 percent increase to the operating budget, which will support up to 603 new positions. The conferees expect that this funding level will allow the Department to meet critical embassy security and staffing requirements, modernize its technology and equipment, and continue vigorous management reform initiatives to right-size America's overseas presence.

The conference agreement includes a total of $5,969,805,000 for the discretionary appropriation accounts under Administration of Foreign Affairs; $1,465,305,000 for International Organizations; $57,795,000 for International Commissions; and $78,755,000 for other activities. The conferees' priorities for the Department of State are delineated in the following paragraphs.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement includes $4,106,701,000 for the Diplomatic and Consular Programs account, instead of $4,099,961,000 as proposed by the House and $3,874,778,000 as proposed by the Senate. The conference agreement includes $646,701,000 to continue funding for worldwide security upgrades, $301,563,000 for public diplomacy programs, and $40,000,000 for worldwide OpenNet and classified connectivity infrastructure. The conference agreement represents an increase of $210,868,000 above the fiscal year 2003 appropriation.

The conference agreement includes a program increase of $72,572,000 to support the hiring and training of new foreign service and civil service employees, including foreign service positions dedicated to visa adjudication as described in both the House and Senate reports. The conferees are concerned that not all of the new full-time equivalents hired by the Department under the Diplomatic Readiness Initiative (DRI) are available for worldwide deployment. One of the primary objectives of the DRI was to allow the Department to address staffing shortages at U.S. diplomatic posts overseas. The Department shall submit a report to the Committees, no later than February 1, 2004, on the number of personnel hired under DRI that are not available for worldwide deployment and on the Department's plan for ensuring that personnel yet to be hired under DRI are available for worldwide deployment. To the greatest extent possible Foreign Service Officers hired during the third and final year of DRI should be available for worldwide deployment.

The conferees urge the Department to move forward expeditiously with its right-sizing plan. Right-sizing refers to the reconfiguration of overseas U.S. Government personnel to the number necessary to achieve U.S. foreign policy goals. The conferees recognize that, as the property manager for all U.S. Government properties overseas, the Department of State faces considerable pressure to accommodate ever-greater numbers of non-State Department personnel in its overseas facilities.

For any right-sizing framework to be effective, it must have two main components: (1) a process for determining, internally, the appropriate numbers of State Department personnel stationed overseas, and (2) an interagency process for determining the appropriate numbers of non-military U.S. government personnel stationed overseas. To this end, the conference agreement includes up to $2,000,000 for the Department to establish and operate an Office on Right-Sizing the United States Overseas Presence, and adopts, by reference, the language on this matter in the House report. The conferees expect this new Office, which shall report directly to the Undersecretary for Management, to lead the Department's effort to develop internal and interagency mechanisms to better coordinate, rationalize, and manage the deployment of U.S. government personnel overseas.

The conferees commend the Department for its recent steps to strengthen internal processes for determining staffing projections for overseas personnel needs. However, more needs to be done. The

conferees are not aware of any right-sizing analysis in the past three years that has resulted in a proposed reduction to a country-wide staffing presence. The conferees are supportive of the concept of regionalization. Regionalization refers to the practice of basing certain administrative functions and personnel in regional centers, or "hubs", thereby creating efficiencies. The conferees note that the Department has made less than notable progress towards developing an interagency right-sizing process. The conferees urge the Department, with the Office of Management and Budget, to take the lead in establishing an interagency process for developing staffing projections for U.S. government facilities overseas. The conferees support the Department's cost-sharing plan which will encourage other Federal agencies to examine more closely whether the personnel they send overseas are truly mission-critical. The conferees remind the Department that this interagency process should not supercede the authority of the Chiefs of Mission (COM) to determine the composition of their posts, but rather to serve as a tool and support mechanism for the COM's. The post must remain at the center of the right-sizing process.

The conference agreement includes the requirements stipulated in the House report regarding a report on the impact of new staffing analysis requirements in the Mission Performance Planning process, and the direction to undertake a review and report on the size of the largest overseas missions using the mission performance plan and the right-sizing criteria developed by the General Accounting Office.

The conference agreement includes program increases as described in the House report for Trafficking in Persons, International Summits, International Religious Freedom, and re-establishing a United States Mission to the United Nations Educational, Scientific and Cultural Organization (UNESCO).

The conference agreement includes language specifying that $301,563,000 is available only for public diplomacy programs. The conference agreement continues support for special program initiatives in the Arab and Muslim world, which were significantly expanded in fiscal years 2002 and 2003.

The conferees are aware of the recently completed report of the Advisory Panel on Public Diplomacy, and the Department's response to the Panel's recommendations. The amounts provided for public diplomacy under this heading and under "Educational and Cultural Exchange Programs", including a reallocation of base funding toward the Arab and Muslim World, will allow the Department to pursue the Panel's recommendations. The conferees urge the Department to act expeditiously on several items proposed by the Panel, including the establishment of an office of policy, plans and resources within the Office of the Under Secretary; strengthening the authority of the Under Secretary for Public Diplomacy and Public Affairs and improving accountability for public diplomacy resources; improved interagency coordination; increased resources dedicated to program performance measurement and research; expansion of English language office, speaker and fellows programs; expansion of American studies programs including American Corners; and increased public diplomacy staff with better language skills. The conferees expect that significant resources

from the Diplomatic Readiness Initiative will be allocated to increased Public Diplomacy staff resources and training.

The conference agreement includes, by reference, language in the Senate report regarding the refining of public diplomacy strategy, including the harmonization of mission and strategy with the Broadcasting Board of Governors, and the incorporation of public diplomacy into ongoing international assistance and volunteer programs.

The conference agreement includes $646,701,000 for worldwide security upgrades as proposed by the House, instead of $594,373,000 as proposed by the Senate. This conference agreement includes $542,998,000 to provide full year costs of maintaining base security activities at current levels. These activities include perimeter security upgrades, guard services, physical security equipment, armored vehicles, personnel, training and wireless communications. The conference agreement includes $7,952,000 for 85 additional security professional staff positions and $25,300,000 for completion of the initial multi-year plan to enhance perimeter security at 243 posts, and technical upgrades at annexes and other buildings not included in the original program. The conferees note that funds provided under this category may be used for protection and security costs in Kabul, Afghanistan. The conference agreement also includes up to $3,000,000 for State Department participation in the TOPOFF III national counterterrorism exercise and $5,000,000 for the Center for Antiterrorism and Security Training.

The conference agreement includes $736,013,000 for the Department's Border Security program, to be funded entirely though collection of Machine Readable Visa (MRV) fees. The fiscal year 2004 program level is an increase of $119,192,000, and includes a program increase of 125 new consular positions. The conference agreement does not include language proposed in the Senate bill regarding the automatic transfer of funding to the Border Security program in the event of MRV fee shortfalls. The Department received an appropriation of $109,500,000 in Public Law 108–106 to cover the estimated shortfall. However, the underlying problem—that a decline in visa fee revenue could disrupt the Border Security program—remains. The conferees direct the Department to submit a plan, no later than April 2, 2004, to ensure that visa fee revenue shortfalls do not disrupt the Department's critical border security operations in fiscal year 2004 or beyond. The conferees urge the Department to continue to work on an interagency basis to strengthen the visa process to make it an effective antiterrorism tool, while avoiding the creation of unnecessary barriers or delays to legitimate travel to the United States.

The conference agreement includes language designating $40,000,000 under this account for worldwide OpenNet and classified connectivity infrastructure. These costs were requested under the Capital Investment Fund. While that account was the appropriate one for funding the costs of developing and deploying these automation initiatives, the conferees agree that the costs of sustaining these systems, including hardware replacement and refreshment, are more appropriately funded under this heading.

The conference agreement includes, by reference, language in the House report on the Africa Policy Advisory Panel, the inter-

agency task force to monitor the United Nations headquarters renovation project, minority hiring and recruiting, overseas schools, extradition, security of classified material, Tibet, the Bureau of Legislative Affairs, and U.S. presence in China. The conference agreement also includes, by reference, language in the Senate report on financial operations, foreign language proficiency, and international trade; and language and corresponding funding levels pertaining to the Arctic Council and the Bering Straits Commission.

The conferees expect the Department and the Bureau of International Organization Affairs to place top priority on international human rights protection and advocacy, and to submit a report to the Committees by December 15, 2003, presenting an international human rights agenda and work plan for the coming year. In addition, the conferees expect the Department to continue the effort begun last year to make funds available to each U.S. Embassy to translate into the official language of the host country the report for the host country from the "Country Reports on Human Rights Practices", the "Annual Report on International Religious Freedom", and the "Trafficking in Persons Report" within 30 days of issuance, and post those documents on the embassy website along with the English version. The Department shall notify the Committees by January 31, 2004, if there are any U.S. Embassies that do not comply with this requirement.

The conference agreement includes such funds as necessary for costs associated with fulfilling United States responsibilities with regard to participation in interparliamentary meetings, including North Atlantic Treaty Organization and Organization for Security and Cooperation in Europe meetings taking place during fiscal year 2004.

The conference agreement includes language, as in the previous fiscal year, providing that funds under this heading may be used for a United States Government interagency task force to examine, coordinate, and oversee United States participation in the United Nations headquarters renovation project.

The conference agreement includes up to $10,000,000 for continuing language education programs, as described in the Senate report.

The conference agreement also includes up to $500,000 for a cultural antiquities task force as described in the Senate report. The task force will coordinate with all relevant Federal law enforcement and cultural agencies to prevent further looting and promote preservation of Iraq's historically and culturally significant works. The conferees urge the Department to create a database as described in the Senate report. The conferees further urge the Department to make changes to visa policies as they pertain to persons found to have looted, damaged, or trafficked historically or culturally significant works. The Department shall submit a report to the Committees no later than April 15, 2004, on the Department's progress towards establishing the task force. This report should include recommendations concerning the database and changes in visa policy.

The conference agreement includes up to $2,000,000 for the Ambassador's Fund for Cultural Preservation, as described in the Senate report.

The conferees are concerned that the Department's policy of rotating Foreign Service Officers may hinder the work of the Bureau of Oceans and International Environmental and Scientific Affairs (OES). The successful negotiation of effective international agreements often takes place over an extended period of time and relies heavily on historical and institutional knowledge of the pertinent issues. The rotation of officers on a three year cycle may inhibit the development of such knowledge. The conferees direct the Department to report to the Committees no later than July 1, 2004, on the impact of such personnel policies on the United States' ability to negotiate effective international environmental treaties. From within the amount available to the OES Bureau, the conferees agree that up to $1,000,000 may be available for international health affairs.

The conferees remain concerned about the adequacy of the Department's efforts to counter the serious problem of international child abductions. The conferees direct that the Department use the authorities in existing law to prohibit the issuance of visas to international child abductors. The conferees also direct that, henceforward, the Department require that children over the age of one year and under the age of 14 be physically present at the time of application for a United States passport, or renewal thereof. The conference agreement includes up to $1,300,000 to promote international information sharing to combat child pornography as described in the Senate report.

The conferees direct the Department to undertake a general survey of foreign missions operating throughout the United States as part of a performance measurement of the work of the Office of Foreign Missions. The Department shall report to the Committees on the findings of this survey no later than October 1, 2004.

The conferees are aware of dissatisfaction with the Department's position regarding certain shipments of mahogany lumber from Brazil. It is the understanding of the conferees that the required export permits were obtained by the proprietor of these shipments from the Government of Brazil, in accordance with existing law. The conferees expect the Department to facilitate the resolution of this matter in a way that is equitable and consistent with U.S. law.

The conferees urge the Department, in consultation with the Department of Commerce, to ensure that U.S. conservation standards are applied to foreign fisheries that wish to import fish products to the U.S., consistent with Public Law 101–162. The conferees direct the Department to submit an enforcement plan to the Committees by April 1, 2004, as described in the House and Senate reports. The Secretary of State and the Secretary of Commerce shall establish standards and measures for bycatch reduction that are comparable to U.S. standards, as described in the Senate report.

As in previous years, the conferees expect that there will be additional savings available to the Department, including exchange rate gains and vacancies in funded positions. The Department will have the ability to propose that savings be used for needs not fund-

ed by the recommendation through the normal reprogramming process. The conferees are concerned about the Department's practice of resubmitting reprogramming requests that have previously been denied by the Committees on Appropriations. Reprogrammings should be resubmitted only if the circumstances surrounding the request or the request itself change substantially enough to warrant a reevaluation by the Committees.

CAPITAL INVESTMENT FUND

The conference agreement includes $80,000,000 for the Capital Investment Fund, instead of $142,000,000 as proposed by the House and $207,000,000 as proposed by the Senate. In addition, the conferees expect that $114,000,000 in expedited passport fees will be used to support the information technology modernization effort, for a total fiscal year 2004 spending availability of $194,000,000.

The entire amount available under this heading, including fees, will support investments in new information technologies to improve the efficiency of Department operations. Costs associated with ongoing information technology operations and maintenance, including $40,000,000 for equipment replacement requested under this account, are funded under the Diplomatic and Consular Programs account.

The conferees encourage the Department to allocate funding under this heading to the following high priority projects: the SMART messaging initiative; public key infrastructure; and up to $8,000,000 for the wide area network/thin client prototype.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $31,703,000 for the Office of Inspector General (OIG) as proposed by the Senate, instead of $29,777,000 as proposed by the House. The conference agreement includes language, as carried in previous years, waiving the requirement for a five-year post inspection cycle. The conference agreement does not include language in the Senate report on conducting risk and threat assessments.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement includes a total of $320,000,000 under this heading, instead of $345,346,000 as proposed by the House and $255,292,000 as proposed by the Senate. The following chart displays the conference agreement on the distribution of funds by program or activity under this account, including an estimated $7,650,000 in prior year recoveries and unobligated balances:

	Amount (in thousands)
Academic Programs:	
Fulbright Students, Scholars, Teachers	$150,000
Graduate Fellowships/Junior Faculty Development	25,000
Foreign Study Grants for U.S. Undergraduates	1,600
Educational Advising and Student Services	3,500
English Language Programs	6,800
American Overseas Research Centers	2,700
South Pacific Exchanges	500

	Amount (in thousands)
Tibet Exchanges	500
East Timor Exchanges	500
Disability Exchange Clearinghouse	500
Subtotal, Academic Programs	191,600
Professional and Cultural Programs:	
International Visitor Program	58,000
Citizen Exchange Program	22,000
Youth Exchanges/Excellence Awards	8,000
Congress-Bundestag Youth Exchange	3,000
Mike Mansfield Fellowship Program	1,800
Youth Science Leadership Institute of the Americas	100
Special Olympics	800
Africa Workforce Development Exchanges	400
Arctic Winter Games	100
George Mitchell Scholarship Program	500
PSC U.S.-Pakistan Educator Development	250
Institute for Representative Government	500
Irish Institute	350
Northern Forum	250
Winter Cities Conference	100
Seed Programs	500
Atlantic Corridor	250
Interparliamentary Exchanges	150
Subtotal, Professional and Cultural Exchanges	97,050
Exchanges Support	39,000
Prior Year Balances Applied	(7,650)
Total, Exchange Programs	320,000

Deviations from this distribution of funds will be subject to the normal reprogramming procedures under section 605 of this Act.

The conference agreement adopts, by reference, language in the House report on the Congress-Bundestag Youth Exchange program; Fulbright exchanges with Tibet; the Leaders in Education Initiative; Traditional Public-Private Partnership grants; artistic and cultural exchanges; minimizing unnecessary barriers to legitimate travel of exchange program participants; the priority of enhanced support for engaging Arab and Muslim audiences through exchange programs; the allocation of funding under this heading for the Near East and South Asia regions; and the allocation of all resources under this account in accordance with worldwide policy priorities.

The conference agreement adopts, by reference, language in the Senate report regarding a program for Afghan women; the Fulbright program in Iraq; and a Council of American Overseas Research Centers program on diamond fingerprinting.

The conference agreement includes increased funding for exchanges with the countries of Eastern Europe and the former Soviet Union built into the base programs funded under this account. The conference agreement includes, by reference, language in the House report on funding levels for staff and administrative support. Funding in the preceding chart includes funding for the Future Leaders Exchange Program. No funding under this account shall be expended for programs that have foreign assistance or international development as the primary goal. The conference

agreement does not include funding for programs, previously funded by transfers from other appropriations, which do not directly relate to international educational and cultural exchanges of persons. The amount provided for Graduate Fellowships is for all such programs worldwide.

The conferees recognize, in particular, the notable success of the Fulbright Educational Exchange Program. The conferees commend Fulbright for developing innovative initiatives, such as the Fulbright Legacy Fund.

Within funds identified in the above chart for "Seed Programs", the conferees expect the Department to consider supporting grants for an African career internship immersion program, a youth cultural festival exchange program, a program to promote religious tolerance and understanding through artistic and cultural exchanges, and the five programs listed in the Senate report under the heading "Seed Programs". Should additional funds become available during the course of the fiscal year, the conferees encourage the Department to provide additional funding to the Institute for Representative Government.

The conferees recognize, in particular, the notable success of the Fulbright Educational Exchange Program. The conferees commend Fulbright for developing innovative initiatives, such as the Fulbright Legacy Fund.

REPRESENTATION ALLOWANCES

The conference agreement includes $9,000,000 for representation allowances as proposed by the House, instead of $6,643,000 as proposed by the Senate. The conference agreement includes, by reference, language in the House report regarding the submission of a quarterly report on expenditures under this account.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The conference agreement includes $10,000,000 under this heading as proposed by both the House and the Senate. The conference agreement includes, by reference, language in the House report regarding the Department's treatment of reimbursement requests, and the submission of a report on budgeting for protection expenses in light of heightened security measures.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The conference agreement includes a total appropriation of $1,391,400,000 for Embassy Security, Construction, and Maintenance. The conference agreement designates $861,400,000 as available only for priority worldwide security upgrades, acquisition, and construction, the full amount requested for such activities. The conference agreement includes $530,000,000 for base programs and non-security construction costs. The conference agreement includes full requested wage and price increases for the Department's Bureau of Overseas Buildings Operations (OBO), which will support 787 positions in fiscal year 2004. The conference agreement includes $20,000 for domestic and overseas representation, instead of $15,000 proposed by the House and $25,000 proposed by the Senate.

The conference agreement includes $861,400,000 for worldwide security upgrades, including $761,400,000 to continue the capital security program of constructing new secure replacement facilities for the Department's most vulnerable embassies and consulates. None of the funds made available under the Security Capital Construction program shall be used for facilities that are exclusively for the use of a non-State Department agency. Within the funds made available under this category, the conferees expect the Department to undertake new office building projects from among the highest priority facilities listed in the Long Range Overseas Buildings Plan. Projects funded under this account must follow a rigorous rightsizing methodology. The conferees expect that such rightsizing efforts will enable the Department to support ten new security capital embassy or consulate construction projects instead of seven as proposed in the budget request.

The conferees understand that the Department has evaluated options for a new embassy facility in Beirut, Lebanon. The conferees expect the Department to report to the Committees no later than 30 days after the enactment of this Act on the status of plans to construct such a facility, and to allocate funds provided under this heading, if appropriate.

The conference agreement includes, by reference, language in the House report regarding capital security cost sharing, compound security, security capital projects fully meeting existing security standards, immediate notification on serious security risks, reprogramming, and right-sizing. The conference agreement includes, by reference, language in the Senate report on a project at U.S. Embassy Mexico and asset management funds.

The conference agreement includes up to $15,000,000 to secure and protect soft targets, up to $8,000,000 for consular workspace improvements, and up to $20,000,000 for buyout of uneconomic leases, as described in the Senate report.

The conference agreement does not include funds requested under this heading for a new Embassy in Berlin, Germany, and instead proposes that this project be funded entirely from funds available in the assets management account. The conferees agree that the total amount to be provided from proceeds of sale for the Berlin project is $128,300,000, and that the facility will be sized to correspond with this project budget. The conference agreement includes, by reference, language in the House report regarding the disposal of property at posts that have had funding approved for the construction of a new secure compound.

The conferees direct the Department to provide a report no later than July 1, 2004, which justifies the continued need for a U.S. consulate in Rio de Janeiro, Brazil, which is located approximately 260 miles away from the U.S. Consulate in Sao Paulo, Brazil.

The conferees expect the Department to submit to the Committees any waiver or waivers signed by the Secretary of State in accordance with section 606(a)(2) and section 606(a)(3) of the Secure Embassy Construction and Counterterrorism Act of 1999 (Public Law 106–113) within five days of the Secretary's signature of such a waiver or waivers.

The conferees direct that the budget categories of "interiors and furnishings", "seismic programs", and "energy conservation" be funded at no less than fiscal year 2003 levels.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The conference agreement includes $1,000,000 under this heading as proposed by the House, instead of $1,000 as proposed by the Senate. The conference agreement anticipates that carryover balances from fiscal year 2003 will be available for obligation in fiscal year 2004. Within prior year unobligated balances, the conferees expect that at least $4,000,000 will be used for the cost of hosting the 2004 Summit of the Industrialized Nations.

REPATRIATION LOANS PROGRAM ACCOUNT

The conference agreement includes $612,000 for the subsidy cost of repatriation loans and $607,000 for administrative costs of the program as proposed by both the House and Senate.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The conference agreement includes $18,782,000 under this heading as proposed by the House, instead of $19,893,000 as proposed by the Senate. The conference agreement includes, by reference, language in the House report regarding the submission of a fiscal year 2004 spending plan, except that such plan shall be submitted by December 31, 2003.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement includes $134,979,000 under this heading, as proposed by both the House and the Senate.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement includes $1,010,463,000 under this heading as proposed by the House, instead of $921,888,000 as proposed by the Senate.

The conference agreement includes, by reference, language in the House report regarding offset of exchange rate losses, reprogramming to meet additional unanticipated costs of UNESCO membership, UNESCO reforms, reassessment of U.S. membership in certain international organizations, reform and budget discipline, the UN regular budget, and the Pan American Health Organization. The conference agreement includes, by reference, language from the Senate report regarding the provision of certain information to the Senate Committee on Appropriations regarding the Organization for Economic Cooperation and Development.

The conference agreement includes language requiring the Secretary to transmit the most recent biennial budget for the operations of the UN. The conference agreement includes language, as in fiscal year 2003, providing that funds within the Diplomatic and Consular programs account may be used for a United States Government interagency task force to examine, coordinate, and oversee

United States participation in the United Nations headquarters renovation project. The conferees are concerned that the task force is not drawing upon the expertise of the Bureau of Overseas Buildings Operations (OBO) of the Department of State to the degree that it should be. The conferees direct the task force to coordinate its efforts with OBO and to consult with senior OBO officials in formulating its recommendations.

The conferees are aware of significant potential benefits that could result from U.S. participation in the International Coffee Organization (ICO). The Department may propose to use funds provided under this heading, through the regular reprogramming process under section 605 of this Act, for costs associated with rejoining ICO.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement includes a total funding level of $550,200,000 for payments for Contributions for International Peacekeeping Activities as proposed by the House, instead of $482,649,000 as proposed by the Senate. The conference agreement includes $454,842,000 in new direct appropriations and $95,358,000 in prior year unobligated balances, and will provide for the full payment of anticipated fiscal year 2004 assessments for United Nations peacekeeping missions. The conference agreement includes language making ten percent of the amount provided available for two fiscal years.

The conference agreement includes, by reference, language in the House report regarding UN peacekeeping in the Western Sahara; UN peacekeeping reform; benchmarks for mission performance and termination; UN peacekeeping in the Democratic Republic of the Congo; and the Office of Internal Oversight Services. The conference agreement includes, by reference, language in the Senate report regarding peacekeeping reports. The allocation of funds under this account to specific missions shall be subject to the reprogramming requirements in section 605 of this Act.

The conferees support the work of the Special Court for Sierra Leone, and expect the United Nations Mission in Sierra Leone to provide support, as necessary, to the Court. The conferees urge the Department to work with the Court and other nations to ensure the expeditious prosecution of indicted persons.

The conferees direct the Department to provide a report to the Committees, no later than August 1, 2004, outlining the Department's views and strategies regarding United Nations peacekeeping missions that have been in existence for more than 10 years. The report shall include an assessment of the possibilities for near-term drawdowns or terminations, and detailed justifications for the continuation of such missions. The report shall also include recommendations for U.S. policies regarding such missions.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

The conference agreement includes a total of $29,551,000 for the International Boundary and Water Commission, United States

and Mexico (IBWC). The total amount provided includes $26,000,000 for Salaries and Expenses and $3,551,000 for Construction. The conference agreement includes language authorizing not to exceed $6,000 for representation expenses.

SALARIES AND EXPENSES

The conference agreement for the Salaries and Expenses account includes $26,000,000, instead of $25,668,000 as proposed by the House and $28,312,000 as proposed by the Senate. The conference agreement includes, by reference, language in the House report regarding the use of surplus operations and maintenance funding through reprogramming.

CONSTRUCTION

The conference agreement includes $3,551,000 in new direct appropriations under this heading, instead of $5,500,000 as proposed by the House and $8,201,000 as proposed by the Senate. The conferees agree that the Commission may use an additional $3,125,000 in prior year unobligated balances for fiscal year 2004 for a total spending level of $6,676,000.

The conference agreement spending levels for ongoing projects are: $2,306,000 for Boundary-wide construction; and $2,305,000 for Rio Grande construction. The conference agreement also includes $950,000 for compliance with the Surfriders consent decree. Any additional obligations under this heading within the total spending level cited above, including any new project starts, shall be subject to the reprogramming process described in section 605 of this Act.

The conference agreement assumes that the IBWC may carry out requested Western Boundary activities using prior year unobligated balances, and propose a distribution of such funds through the regular reprogramming process. The conferees encourage the IBWC to attempt, if possible, to achieve greater secondary treatment of Mexican sewage within current funding levels under this account. Any plan that assumes a significant increase in appropriations under this heading in future years is not feasible given resource restraints and competing priorities.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement includes a total of $8,944,000 under this heading as proposed by the House, instead of $10,942,000 as proposed by the Senate. This amount includes $1,261,000 for the International Boundary Commission, $5,550,000 for the International Joint Commission and $2,133,000 for the Border Environment Cooperation Commission. The conference agreement includes, by reference, language in the House report regarding funding for a study of the water regulation plan governing Lake Ontario and the St. Lawrence River.

INTERNATIONAL FISHERIES COMMISSIONS

The conference agreement includes $19,300,000 under this heading, instead of $16,989,000 as proposed by the House. The Senate proposed $20,043,000 for this purpose under the Department of Commerce. The conference agreement includes $2,250,000

for the Pacific Salmon Commission, $2,100,000 for the Inter-American Tropical Tuna Commission, $2,180,000 for the International Pacific Halibut Commission, and $12,248,000 for the Great Lakes Fishery Commission, of which not less than $700,000 is for lampricide in Lake Champlain. The conferees expect the Department to allocate the balance of funds in the conference agreement, and, through the regular reprogramming process, any additional funds that may become available, to priority commissions. In allocating the balance of funds, the conferees encourage the Department to particularly consider funding needs of the International Whaling Commission, the International Commission for the Conservation of Atlantic Tunas, the North Pacific Anadromous Fish Commission, the Inter-American Sea Turtle Convention Commission, and the North Pacific Marine Science Organization. The conferees are aware that the Department may propose to reprogram funds to meet the needs of the various fisheries commissions should funding become available.

The conferees expect the Department to take immediate action to evaluate and prioritize United States participation in, and funding for, international fisheries commissions. In a climate of limited resources the conferees continue to insist that the Department operate within appropriated amounts, prioritize as necessary among commissions according to policy goals, take steps as necessary to withdraw from lower priority commissions, and refrain from entering into new commitments.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The conference agreement includes $13,000,000 under this heading, instead of $10,376,000 as proposed by the House and no funding as proposed by the Senate.

INTERNATIONAL CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

The conference agreement includes language creating a permanent trust fund for the International Center for Middle Eastern-Western Dialogue Trust (in Section 634). The purpose of this fund is to provide for the operations of the Center in Istanbul, Turkey, on an annual basis.

The conference agreement includes $7,000,000 under this heading to be deposited in the International Center for Muslim-Western Dialogue Trust (the Center) for the perpetual operations of the Center. The Center is located in the historic Palazzo Corpi, formerly the U.S. Consulate building in Istanbul, Turkey. The purpose of the Center is to develop programs of cooperative study, training, and research for students and scholars to exchange views and ideas. The Center shall develop regional-based dialogue groups on such topics as post-war Iraq and the empowerment of women in Iraq's government and leadership, among others. The conferees encourage non-profit organizations to play a continuing role in the administration of the Center and in the execution of its programs.

The conference agreement also includes $250,000 for a steering committee, chaired by the Council of American Overseas Research

Centers (CAORC), to establish the Center. The CAORC may use the funds provided under this heading for steering committee meetings and planning workshops to be held in Istanbul, Turkey, and the United States. The steering committee shall seek to achieve the following goals: identify potential partners in the U.S. and abroad; review all aspects of the structure of the Center and make recommendations concerning its governance, by-laws, internal organization, and modes of operation. In addition, CAORC shall be the coordinating liaison with concerned federal and private agencies, monitor progress and report to the Committees on Appropriations on an annual basis.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

The conference agreement includes an appropriation for fiscal year 2004 of interest and earnings from the Eisenhower Exchange Fellowship Program Trust Fund, expected to total $500,000. The conference agreement includes, by reference, language in the House report regarding geographical priorities and the selection of fellows.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The conference agreement includes an appropriation for fiscal year 2004 of interest and earnings of the Israeli Arab Scholarship Endowment Fund, expected to total $375,000.

EAST-WEST CENTER

The conference agreement includes $17,880,000 under this heading, instead of no funds as proposed by the House and $19,000,000 as proposed by the Senate. The conference agreement includes language waiving an authorization requirement for fiscal year 2003 appropriations under this heading.

NATIONAL ENDOWMENT FOR DEMOCRACY

The conference agreement includes $40,000,000 for the National Endowment for Democracy (NED), instead of $42,000,000 as proposed by the House and $36,000,000 as proposed by the Senate.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes $546,038,000 to carry out United States International Broadcasting Operations for fiscal year 2004. The conference agreement adopts, by reference, House language regarding communications with the Committees on Appropriations, and language under the headings of Arabic Television, Language Service Review and Research, Africa Broadcasting, and Anti-Jamming Efforts.

The conference agreement adopts, by reference, Senate language under the headings of Africa Broadcasting, Security of Worldwide Broadcasting Facilities, Middle East Television Network, and Jamming.

The conferees support efforts to devote more resources to regions of the world that have had exposure to U.S. broadcasting ef-

forts, with particular attention to the Middle East and to Muslim populations around the globe. The conferees adopt the Broadcasting Board of Governors' (BBG) proposal regarding funding for language services in central and eastern European nations that have been invited to become new member states of the European Union or the North Atlantic Treaty Organization, and have received a Freedom House press freedom ranking equal to that of the United States. The conferees expect the BBG to continue to monitor the press freedoms in these countries, and throughout the world, and advise the Committees on Appropriations regarding any change to language service priorities.

BBG's proposal would reduce, but not eliminate, language services to the Ukraine and Armenia. The conferees understand the VOA Armenian programming would be merged with Radio Free Europe/Radio Liberty (RFE/RL) broadcasting efforts. The conferees understand the BBG would not eliminate broadcasting in Romanian or Croatian.

The conference agreement adopts BBG's proposal to double VOA radio broadcasts and increase television broadcasts to Indonesia.

The conferees continue to support RFE/RL programming efforts in Persian, Tajik, Uzbek, Turkmen, Arabic, Kazakh, Kyrgyz, and Azeri. The conferees commend RFE/RL for developing programming in Avar, Chechen, and Circassian, and for expanding broadcasting to the Northern Caucasus. The conferees recognize the continuing importance of broadcasting objective, uncensored information to the isolated minorities of the Northern Caucasus in their native languages.

The conferees continue to support Radio Free Asia's broadcasting efforts to China, Tibet, Burma, Vietnam, North Korea, Laos, and Cambodia and VOA's efforts in North Korea. The conference agreement includes funding to continue daily Uyghur broadcasts.

The conferees expect BBG to provide up to $1,000,000 to administer a pilot program using Internet technologies to overcome jamming of broadcasts to China.

The conference agreement adopts BBG's proposal to streamline and reduce costs of management and administration throughout the BBG, including the realignment of RFE/RL staff from headquarters to regional bureaus.

The conference agreement includes the realignment of the CFO office as proposed in a prior reprogramming notification to the Committees on Appropriations.

The conferees expect the BBG to provide a spending plan to the Committees on Appropriations in both the House and Senate by no later than February 14, 2004.

The conference agreement includes language providing for radio and television broadcasting to the Middle East under the Middle East Television Network.

The conference agreement includes funding for Office of Cuba Broadcasting (OCB) under this heading. The conferees commend the OCB for the successful completion of the conversion to digital audio and computer networking technologies. The conferees direct the BBG to pursue alternative means of transmission, including

Internet transmission. The conferees expect BBG to provide up to $1,200,000 for this activity.

Further, the conference agreement does not include funding requested for the operating costs related to transmission stations that are not currently in operation.

The conferees understand the Administration has engaged the government of the Czech Republic regarding the relocation of the headquarters facility of the RFE/RL from St. Wenceslas Square in Prague, the Czech Republic, to a different location. The conferees further understand that, to date, the BBG and RFE/RL have not reached agreement with the Czech Republic on a suitable site within the Czech Republic for relocation. The conferees direct the Chairman of the BBG to submit no later than April 1, 2004, a relocation plan to the Committees on Appropriations. The plan shall include at least four possible sites, developed in consultation with the Director of the Department of State's Bureau of Overseas Buildings Operations. In determining the site options, the conferees direct the BBG to consider sites in other countries in the region in addition to the Czech Republic, and include a comparison of the long-term costs of operating in the different countries.

The BBG is directed to submit a spending plan for funds provided under this heading, in accordance with section 605 of this Act.

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement includes $11,395,000 for broadcasting capital improvements, as proposed by both the House and Senate.

The conference agreement adopts, by reference, House language regarding a certain transmitting station. The conferees expect the Board to keep the Committees on Appropriations in both the House and Senate informed on the status of its efforts to acquire additional transmission capabilities in the Middle East, including Egypt.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

The conference agreement includes section 401, permitting the use of funds for allowances, differentials and transportation.

The conference agreement includes section 402 dealing with transfer authority.

The conference agreement includes section 403 prohibiting the use of funds by the Department of State or the Broadcasting Board of Governors to provide certain assistance to the Palestinian Broadcasting Corporation.

The conference agreement includes section 404 regarding the recording of place of birth on certain passport applications.

The conference agreement includes section 405 regarding certain State Department Basic Authorities.

The conference agreement includes section 406 regarding the denial of visas in certain instances. Nothing in this section shall be construed as cutting off the need to continue administrative processing of visa applications after 60 days.

The conference agreement includes section 407 waiving certain authorization requirements.

The conference agreement includes section 408 regarding the Senior Policy Operating Group on Trafficking in Persons. The conference agreement includes language clarifying the responsibilities of the Senior Policy Operating Group on Trafficking in Persons. The conferees understand that the Operating Group has been actively meeting and performing its designated functions since enactment of Section 406 of division B of Public Law 108–7. The conferees agree that all anti-trafficking policies, grants and grant policies shall be covered by the provisions of Section 406 of division B of Public Law 108–7. The conference agreement also includes language clarifying that the Senior Policy Operating Group and its chairman are the coordinating body (and official) accountable for federal anti-trafficking policies, grants and grant policies. The conferees are concerned by recent administrative efforts to subordinate and transfer the Operating Group's coordinating responsibilities. The language also makes clear that the coordinating responsibilities of the Operating Group are not intended to supercede the decision making authority of the constituent members of the Task Force to Monitor and Combat Trafficking in Persons, to whom Operating Group members continue to report. The Operating Group is, and was intended to serve as, the forum for interagency coordination of anti-trafficking policies, even as final decisions regarding any such policies are necessarily vested with the President and the senior officials who comprise the Task Force. The conferees agree that the Senior Operating Group and its chair have successfully performed the coordinating functions assigned to them.

The conference agreement includes section 409 regarding State Department provision of certain information to the Committees on Appropriations.

TITLE V—RELATED AGENCIES

ANTITRUST MODERNIZATION COMMISSION

SALARIES AND EXPENSES

The conference report includes $1,200,000 for the Antitrust Modernization Commission instead of $1,799,000 as provided by the House. The Senate did not fund this commission.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The conference agreement includes $496,000 for the Commission for the Preservation of America's Heritage Abroad, instead of $499,000 as proposed by the House and $659,000 as proposed by the Senate. The conference agreement will allow the Commission to fund its administrative expenses through appropriated funds while relying on other sources of funding for actual purchase and restoration of property.

The conference agreement includes, by reference, language in the House Report under this heading.

The conferees encourage the Commission to undertake Phase II of its survey of sites abroad associated with the lives and deeds of foreign-born heroes of the American Revolution.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The conference agreement includes $9,096,000 for the salaries and expenses of the Commission on Civil Rights for fiscal year 2004, as proposed in both the House and Senate bills.

The conferees note that the Commission has achieved cost savings in fiscal year 2003 by holding its monthly meetings in Washington, DC, versus other locations around the country.

The conferees urge the Commission to continue to seek cost savings in this manner. In addition, the conferees encourage the Commission to address the recommendations made by the October 2003 General Accounting Office report, which suggested establishing greater controls over contracting activities and meeting financial statement preparation and audit requirements.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

The conference agreement includes $3,000,000 for the Commission on International Religious Freedom, as proposed by the House, instead of $2,000,000 as proposed by the Senate.

The conference agreement includes, by reference, language in the House Report under this heading.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The conference agreement includes $1,615,000 for the Commission on Security and Cooperation in Europe as proposed by the House and the Senate.

The conference agreement includes, by reference, language in the House Report under this heading.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

The conference agreement includes $1,800,000 for the Congressional-Executive Commission on the People's Republic of China, as proposed by the House, instead of $1,400,000, as proposed by the Senate. The conference agreement also includes new language making $300,000 available for the Political Prisoners Registry.

The conference agreement includes, by reference, language in the House Report under this heading.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $328,400,000 for the salaries and expenses of the Equal Employment Opportunity Commission (EEOC) for fiscal year 2004, as proposed by the House, instead of $334,754,000 as proposed by the Senate.

The conferees recognize that the Chair and Commissioners have engaged EEOC stakeholders in a public forum in order to hear many different perspectives on the proposed restructuring effort. However, the conferees remain concerned about the impact this restructuring will have on the quality of service provided by the agency. The Committees on Appropriations should be kept apprised of any organizational changes, in accordance with the reprogramming requirements in Section 605 of the Act.

The conferees are aware of the many financial management initiatives the EEOC has successfully undertaken over the last year, and the conferees commend the Commission for these actions. The Commission is urged to continue these cost saving measures and the financial management discipline it has instituted. The conference agreement adopts, by reference, the language in the House report requiring quarterly reports on planned and actual spending and staffing levels. The conference agreement also includes, by reference, the language in the House report on Alternative Dispute Resolution programs.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $273,958,000 for the salaries and expenses of the Federal Communications Commission (FCC) for fiscal year 2004, instead of $278,958,000 as provided by the House and $277,798,000 as provided by the Senate. Of the amounts provided, $272,958,000 is to be derived from offsetting fee collections, resulting in a net direct appropriation of $1,000,000.

The FCC performs four major functions: spectrum allocation, creating rules to promote fair competition and protect consumers where required by market conditions, authorization of service, and enforcement. The conferees direct the FCC to expend for enforcement in fiscal year 2004 an amount equal to or greater than the amount expended for enforcement in fiscal year 2003.

The conference agreement includes, by reference, language included in the House and Senate reports on broadcast television standards. The conference agreement includes, by reference, language in the Senate report regarding Universal Service Fund audits and wireless portability.

The conferees are pleased that the FCC is voluntarily examining the practice of Commissioners and staff receiving travel payments from entities it regulates in order to largely eliminate section 1353 travel. The FCC should inform the Committees on Appropriations of any resulting changes to the travel policy. The conference agreement includes a level of funding that is sufficient to accommodate mission-critical travel.

The conference agreement allows the FCC to spend up to $85,000,000 to administer the spectrum auctions program. In addition, all collections retained by the FCC in accordance with section 309(j)(8)(B) of the Communications Act of 1934 are subject to the requirements of section 605 of this Act.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $186,041,000 for the Federal Trade Commission (FTC), instead of $183,041,000 as proposed by the House and $189,032,000 as proposed by the Senate. Of the amounts provided, $112,000,000 is derived from Hart-Scott-Rodino premerger filing fees, $23,100,000 is derived from Do-Not-Call fees, and $50,941,000 is derived from discretionary appropriations.

The conference agreement adopts by reference the House report language requiring GAO to study the implementation of the Do-Not-Call program and determine whether the Commission is achieving its goal of reducing by 80 percent the number of telemarketing calls received by registered consumers. To improve responsiveness to an individual's decision to enroll in the Do-Not-Call program, the conference report includes bill language requiring telemarketers who are subject to the Telemarketing Sales Rule to obtain from the Federal Trade Commission the list of telephone numbers on the Do-Not-Call registry once a month.

The conference agreement adopts by reference the House report language concerning violent video games. In addition, the conferees direct the Commission to make the toll free consumer complaint line (1–877–FTC-HELP) and the Commission's web-site available for consumer complaints on media violence. The Commission should make consumers aware that the complaint line and web-site are available for this purpose.

The conference agreement adopts by reference the Senate report language concerning child protection, the Internet, and commercial fleet card programs.

Federal Deposit Insurance Act.—In the Fiscal Year 2003 Conference Report, the conferees directed the General Accounting Office (GAO) to study the enforcement of section 43 of the Federal Deposit Insurance Act and make recommendations to the Committees on Appropriations on which Federal agency could most effectively enforce this provision. GAO Report 03–971 recommends that the Commission is the best among the Federal agencies considered to enforce the consumer protection activities of this provision. In addition, the report also concludes that the most apparent impact on consumers, from the lack of enforcement of section 43, may result from non-Federally insured credit unions not providing adequate disclosure that they are not Federally insured. Based on these recommendations, the conference agreement revises language included in the House and Senate bills requiring enforcement concerning disclosure and annual independent audits, but maintains the prohibition of enforcement of section 43(e) concerning the eligibility of Federal deposit insurance.

In the enforcement of section 43, the FTC is directed to consult with the Federal Deposit Insurance Corporation and the National

Credit Union Administration when determining the manner and content of disclosure requirements, and to coordinate with State supervisors of non-Federally insured depository institutions to assist in enforcing these requirements.

HELP COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $3,000,000 for necessary expenses of establishing the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission. The conference agreement also includes authorization language under title VI of this Act concerning the Commission and its activities.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The conference agreement includes $338,848,000 for the payment to the Legal Services Corporation, as proposed in both the House and Senate bills. The recommendation is $9,548,000 above the budget request. Of the amounts provided, the Legal Services Corporation will provide $2,500,000 in grants equitably distributed to the ten states most negatively affected by recent census-based reallocations.

ADMINISTRATIVE PROVISION

The conference agreement includes bill language to continue the terms and conditions included under this section in previous Appropriations Acts.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $1,856,000 for the Marine Mammal Commission, as proposed by the House, instead of $3,063,000 as proposed by the Senate. An additional $1,207,000 is provided by transfer from the National Oceanic and Atmospheric Administration, Operations, Research, and Facilities account. The conference agreement includes, by reference, the language in the Senate report on the cost effectiveness of current protection programs and the effects of rogue killer whales on the most endangered marine mammals.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

The conference agreement includes $2,000,000 for the National Veterans Business Development Corporation as provided by the House and the Senate. The conferees note that the Corporation's authorizing legislation mandates that it institute a plan to raise private funds and become a self-sustaining corporation by the end of fiscal year 2004. The conferees encourage efforts by the Corporation to meet this goal.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $811,500,000 for the Securities and Exchange Commission, instead of $841,500,000 as provided by the House and Senate.

Staffing.—In fiscal year 2003, the Commission was provided with funding for 840 new positions to protect investors and implement the Sarbanes-Oxley Act. The fiscal year 2004 budget request assumed that the 840 new positions funded in fiscal year 2003 would be hired by the start of fiscal year 2004. The conferees understand the Commission has had difficulty hiring accountants and examiners but that Public Law 108–44 provides the Commission with greater flexibility in hiring these positions. The conferees understand that through November 1, 2004, the Commission has only been able to increase its staff by 309. As a result of lower than anticipated on-board staffing levels, the conference agreement has reduced the level of funding provided to the Commission by $30,000,000. The conferees direct the Commission to continue to work to fill all of the 840 new positions as quickly as possible and to provide the Committees on Appropriations with quarterly staffing reports.

The conference agreement adopts by reference the Senate report language concerning pay parity and enforcement. The conference agreement adopts by reference the Senate report language concerning data management and includes such sums as are necessary to fund these efforts. The conference agreement adopts by reference the Senate report language requiring a monthly report to the Senate Appropriations Committee listing the exercise of stock options by corporate officers and directors. The conference agreement adopts by reference the House report language requiring GAO to study the Commission's allocation of funding increases provided in fiscal years 2003 and 2004. The conference agreement adopts by reference all of the House report language concerning the establishment of an Office of Global Security Risk within the Division of Corporation Finance.

SMALL BUSINESS ADMINISTRATION

The conference agreement provides a total of $718,343,000 for the four appropriations accounts of the Small Business Administration (SBA). Detailed guidance for the four SBA appropriation accounts is contained in the following paragraphs.

SALARIES AND EXPENSES

The conference agreement includes $325,750,000 for the salaries and expenses account of the SBA instead of $326,592,000 as provided by the House and $332,413,000 as provided by the Senate. Of the amount provided under this heading, $185,000,000 is for operating expenses of the SBA. In addition, a total of $136,500,000 from other SBA accounts may be transferred to and merged with the salaries and expenses account for indirect operating costs. This amount consists of $128,000,000 from the Business Loans Program

account and $8,500,000 from the Disaster Loans Program account for the administrative expenses related to those accounts.

The conference agreement includes the full amount requested for Low Documentation Processing Centers and expects the SBA to continue to help small businesses adapt to a paperless procurement environment.

The conferees adopt by reference the House report language concerning the submission of a long-range plan for the implementation of the loan monitoring system and the joint accounting and administrative systems project.

Non-Credit Programs.—The conference agreement includes the following for the non-credit programs of the SBA:

Regulatory Fairness Boards/National Ombudsman	$500,000
Advocacy Research	1,100,000
Veterans Programs	750,000
7(j) Technical Assistance Programs	2,000,000
Small Business Development Centers	89,000,000
SCORE	5,000,000
Women's Business Centers	12,500,000
Women's Business Council	750,000
Native American Outreach	2,000,000
Drug-free Workplace Program	1,000,000
Business Information Centers	400,000
Microloan Technical Assistance	15,000,000
PRIME Technical Assistance	5,000,000
SBIR Technical Assistance	250,000
SBIR—FAST	2,000,000
HUBZones	2,000,000
US Export Assistance	1,500,000
Total, non-credit programs	140,750,000

The SBA shall not reduce these non-credit programs to fund operating costs. Of the amounts provided for the Small Business Development Center (SBDC) program, $500,000 shall be available for the South Carolina Women's Business Center. In addition, SBA shall fund the SBDC defense transition program and the regulatory compliance simplification program at the fiscal year 2003 level. The conferees adopt by reference the House report language requiring SBA to submit a report to the Committees on Appropriations within 90 days of enactment of this Act describing the various programs offered by SBDCs to support American small businesses.

SBA is directed to report to the Committee prior to closing any Business Information Centers. The report should include a justification for closing the particular office and a detailed proposal as to how services will be provided to the affected community in the future.

The conferees adopt by reference the Senate report language concerning an electronic grant system. The conferees support the SBA's 8(a) business development program internet application program.

The conferees adopt by reference the Senate report language directing that disaster loans in Alaska continue to be managed by SBA and not be sold for processing.

Because of the unique legal status of Alaska Natives, Native Hawaiians, and residents living in the territories, the offices handling SBA programs on reservations often lack the knowledge and ability to make SBA programs work outside the continental United States. To address this failure, the conferees direct the SBA to as-

sign a Senior Executive Service (SES) position to focus on these unique communities. The conferees expect this new SES position shall be accommodated within SBA's existing number of SES positions. Within 60 days of enactment of this Act, the conferees direct SBA to submit to the Committees on Appropriations a report outlining all SES positions within the SBA, including their titles and responsibilities, and a proposed reorganization of these positions to ensure the needs of Alaska Natives, Native Hawaiians, and residents living in the territories are being addressed.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $13,000,000 for the Office of Inspector General of the Small Business Administration as proposed by the House instead of $12,341,000 as provided by the Senate. The conference agreement includes language allowing $500,000 to be transferred to this account from the Disaster Loans Program for oversight costs related to that program.

BUSINESS LOANS PROGRAM ACCOUNT

The conference agreement includes $209,042,000 under this account, consisting of: $79,132,000 for the Business Loans Program account for subsidies for guaranteed business loans; $1,910,000 for subsidies for direct business loans; and $128,000,000 for administrative expenses related to business loan programs. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans. In addition, the conference agreement includes a provision, also carried in previous years, which allows up to $45,000,000 to remain available for two fiscal years.

7(a) Business Loan Program.—The conference agreement includes $101,228,000 for the 7(a) program. This amount includes $79,132,000 in appropriations, $19,773,000 in prior year unobligated balances, and $2,455,000 in remaining balances from the DELTA 7(a) program. Section 633 of this Act makes the remaining balances available for the DELTA 7(a) program available for the general 7(a) program. The conferees understand that there is no longer a demand for the DELTA 7(a) programs.

The total level of funding provided will support a loan program level of $9,550,000,000, which is $250,000,000 above the requested program level and $612,000,000 above the level of 7(a) business loans provided in fiscal year 2003.

The conferees were disappointed to learn that the subsidy included in the Administration's budget request is inaccurate and that an additional $4,000,000 above the request is required to fund the Administration's requested program level. While the conferees have provided this increase to ensure sufficient funding is available to assist American small businesses, the conferees expect future budget requests to contain accurate subsidy rate calculations.

DISASTER LOANS PROGRAM ACCOUNT

The conference agreement includes $170,551,000 for the Disaster Loans Program Account for loan subsidies and associated ad-

ministrative expenses instead of $190,250,000 as provided by the House and Senate. The conference agreement includes new budget authority of $56,188,000 for the subsidy costs of disaster loans and $114,363,000 for administrative expenses associated with carrying out the program.

The conference agreement provides for a total of $89,109,000 for disaster loans of which $56,188,000 is in new appropriations and $32,921,000 in prior year carryover balances, including $15,032,000 made available through Section 628 of this Act. This fully funds the Administration's requested disaster loans program level of $760,316,000. The conferees understand that at this time the Administration believes that the costs associated with Hurricane Isabel and the fires in California can be funded within the requested disaster loan program level.

Within the $114,363,000 provided for administrative expenses, $500,000 is available for the Office of Inspector General, $105,363,000 is available for direct administrative expenses of loan making and servicing, and $8,500,000 is available to be transferred to the Salaries and Expenses account for indirect costs of the program.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The conference agreement provides $2,250,000 for the State Justice Institute (SJI), instead of $3,000,000 as proposed by the House and $5,000,000 as proposed by the Senate. The conferees encourage SJI to work with the Office of Justice Programs on issues involving State courts and encourages SJI to apply for funding under OJP grant programs that support State court programs.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $2,000,000 for the Commission, as proposed by the Senate. The House did not include funding for this Commission under this heading.

The conferees direct the Commission to consult with the Secretary of Commerce, as appropriate, to research and report back to the Committees on Appropriations regarding the following:

China's industrial policies, including "pillar" sectors, technology acquisitions through joint ventures, various forms of subsidization, and the short and long-term implications of the modernization of those industries for the U.S. economy, industry, and employees;

Exports from China's state enterprises, the types and amounts of subsidies provided, and the longer-term effects of such exports/subsidies on specific U.S. industries;

Various means to compensate losses of U.S. intellectual property holders created by China's inability to meet its WTO intellectual property commitments;

Shifts of research and development from the United States to China, the nature of the 134 major foreign research and de-

velopment corporate complexes now identified by the People's Republic of China, the prospects for future European Union, Japanese, and United States research and development shifts to China, and the resulting implications to U.S capacities;

Items on the U.S.-China Advanced Technology Trade list cross-referenced to the items on the Department of Defense's Critical Technology List, and what part of total U.S. purchases of these items are imported from China;

An analysis of the extent of professional service outsourcing that now exists and is projected from the United States, and the ultimate location of that outsourcing, and quantifications of the longer-term consequences to affected U.S. professions, such as software engineering;

A survey of business groups on the extent to which U.S. manufacturers and their supply chains are relocating to China.

The conferees expect this report to be provided to the Committees on Appropriations no later than May 1, 2004.

TITLE VI—GENERAL PROVISIONS

The conference agreement includes the following General Provisions:

Sec 601.—The conference agreement includes section 601 regarding the use of appropriations for publicity and propaganda purposes.

Sec. 602.—The conference agreement includes section 602 regarding the availability of appropriations for obligation beyond the current fiscal year.

Sec. 603.—The conference agreement includes section 603 regarding the use of funds for consulting purposes.

Sec. 604.—The conference agreement includes section 604 providing that should any provision of the Act be held to be invalid, the remainder of the Act would not be affected.

Sec. 605.—The conference agreement includes section 605 regarding the policy by which funding available to the agencies funded under this Act may be reprogrammed for other purposes.

Sec. 606.—The conference agreement includes section 606 regarding the construction, repair, or modernization of National Oceanic and Atmospheric Administration vessels in overseas shipyards.

Sec. 607.—The conference agreement includes section 607 regarding the purchase of American made products.

Sec. 608.—The conference agreement includes section 608 prohibiting funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission (EEOC) similar to proposed guidelines covering harassment based on religion published by the EEOC in October 1993.

Sec. 609.—The conference agreement includes section 609 prohibiting the use of funds to implement a certain Memorandum of Agreement between the Federal Trade Commission and the Antitrust Division of the Department of Justice.

Sec. 610.—The conference agreement includes section 610 prohibiting the use of funds for any United Nations peacekeeping mission that involves U.S. Armed Forces under the command or oper-

ational control of a foreign national unless the President certifies that the involvement is in the national security interest.

Sec. 611.—The conference agreement includes section 611 that requires agencies to provide quarterly reports to the Committees on Appropriations regarding unobligated balances.

Sec. 612.—The conference agreement includes section 612 that prohibits use of funds to expand the U.S. diplomatic presence in Vietnam beyond the level in effect July 11, 1995, unless the President makes a certification that several conditions have been met regarding Vietnam's cooperation with the United States on POW/MIA issues.

Sec. 613.—The conference agreement includes section 613 requiring agencies and departments funded in this Act to absorb any necessary costs related to downsizing or consolidation within the amounts provided to the agency or department.

Sec. 614.—The conference agreement includes section 614 concerning funding under the Local Law Enforcement Block Grant program.

Sec. 615.—The conference agreement includes section 615 regarding the sale or export of tobacco or tobacco products.

Sec. 616.—The conference agreement includes section 616 extending the prohibition on the use of funds to issue a visa to any alien involved in extrajudicial and political killings in Haiti, including exemption and reporting requirements.

Sec. 617.—The conference agreement includes section 617 that prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993, and prohibits implementation of a background check system which does not require or result in destruction of certain information.

Sec. 618.—The conference agreement includes section 618 regarding amounts available under the Crime Victims Fund.

Sec. 619.—The conference agreement includes section 619 prohibiting the use of Department of Justice funds for programs that discriminate against, denigrate, or otherwise undermine the religious beliefs of students participating in such programs.

Sec. 620.—The conference agreement includes section 620 prohibiting the use of funds appropriated or otherwise made available to the Departments of State and Justice to process visas for citizens of countries that the Attorney General has determined deny or delay accepting the return of deported citizens.

Sec. 621.—The conference agreement includes section 621 providing additional amounts for the Small Business Administration.

Sec. 622.—The conference agreement includes section 622 prohibiting the use of Department of Justice funds to transport a maximum or high security prisoner to any facility other than a facility certified by the Bureau of Prisons as appropriately secure to house such a prisoner.

Sec. 623.—The conference agreement includes section 623 that prohibits the use of appropriated funds to purchase certain audiovisual materials to be used by Federal prisoners for primarily recreational purposes.

Sec. 624.—The conference agreement includes section 624 regarding a position within the Small Business Administration.

Sec. 625.—The conference agreement includes section 625 regarding transfers of funds.

Sec. 626.—The conference agreement includes section 626 regarding the negotiation or reevaluation of international agreements.

Sec. 627.—The conference agreement includes section 627 regarding the implementation of telecommuting programs.

Sec. 628.—The conference agreement includes section 628 regarding the Small Business Administration Disaster Loans Program.

Sec. 629.—The conference agreement includes section 629 regarding the national ownership cap on television broadcast licenses.

Sec. 630.—The conference agreement includes section 630 regarding firearms tracing studies.

Sec. 631.—The conference agreement includes section 631 regarding a Small Business Administration loan program fee.

Sec. 632.—The conference agreement includes section 632 regarding Small Business Administration balances.

Sec. 633.—The conference agreement includes section 633 regarding a Middle East International Center.

Sec. 634.—The conference agreement includes section 634 regarding patents.

The conferees have included a provision prohibiting funds to process patents of human organisms. The conferees concur with the intent of this provision as expressed in the colloquy between the provision's sponsor in the House and the ranking minority member of the House Committee on Appropriations as occurred on July 22, 2003, with respect to any existing patents on stem cells.

Sec. 635.—The conference agreement includes section 635 regarding the United Nations Human Rights Commission.

Sec. 636.—The conference agreement includes section 636 regarding international child abduction.

Sec. 637.—The conference agreement includes section 637 regarding the HELP Commission.

Sec. 638.—The conference agreement includes section 638 regarding amounts provided in this Act.

TITLE VII—RESCISSIONS

(INCLUDING RESCISSIONS)

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

The conference agreement includes a rescission of $67,326,000 from unobligated balances in this account, instead of $499,000 as proposed by the Senate. The House did not propose a rescission.

COUNTERTERRORISM FUND

(RESCISSION)

The conference agreement includes a rescission of $40,000,000 from prior year unobligated balances in this account instead of $50,000,000 as proposed by the Senate. The House did not propose a rescission. The conferees note that unobligated balances of $20,784,000 remain available for obligation in this account.

LEGAL ACTIVITIES

ASSET FORFEITURE FUND

(RESCISSION)

The conference agreement includes a rescission of $61,608,000 from available balances in the Asset Forfeiture Fund Super Surplus.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

(RESCISSION)

The conference agreement includes a rescission of $51,895,000 from prior year unobligated balances in this account originally made available for the FCI California prison construction project.

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(RESCISSION)

The conference agreement includes a rescission of $21,600,000 from unobligated balances under this heading including $2,500,000 from Drug Courts, $13,600,000 from State Prison Grants, $4,000,000 from State Prison Drug Treatment, and $1,500,000 from CCTV.

COMMUNITY ORIENTED POLICING SERVICES

(RESCISSION)

The conference agreement includes a rescission of $6,378,000 from the unobligated balances under this heading, as requested and as included in the House bill.

JUVENILE JUSTICE PROGRAMS

(RESCISSION)

The conference agreement includes a rescission of $15,900,000 from the unobligated balances under this heading for Part B formula grants.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

(RESCISSION)

The conference agreement includes a rescission of $40,000,000 from unobligated travel and tourism funds provided in Public Law 108–7.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

COASTAL AND OCEAN ACTIVITIES

(RESCISSION)

The conference agreement includes a rescission of $2,500,000 in unobligated land acquisition funds provided in Public Law 106–553 and designated for Winyah Bay.

TITLE VIII—ALASKAN FISHERIES

The conference agreement includes language regarding the management of Alaskan fisheries.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follows:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2003	$40,530,029
Budget estimates of new (obligational) authority, fiscal year 2004	41,211,965
House bill, fiscal year 2004	41,230,679
Senate bill, fiscal year 2004	40,372,908
Conference agreement, fiscal year 2004	41,041,509
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2003	+511,480
Budget estimates of new (obligational) authority, fiscal year 2004	−170.456
House bill, fiscal year 2004	−189,170
Senate bill, fiscal year 2004	+668,601

DIVISION C

DISTRICT OF COLUMBIA APPROPRIATIONS

In implementing this agreement, the Departments and agencies should comply with the language and instructions set forth in House Report 108–214 and Senate Report 108–142. The committee of conference approves the language and instructions set forth in these reports, which are not changed by the conference agreement.

In the case where the language and instructions specifically address the allocation of funds, the Departments and agencies are to follow the funding levels specified in the Congressional budget

justifications accompanying the fiscal year 2004 budget or the underlying authorizing statute and should give full consideration to all items, including items allocating specific funding included in the House and Senate reports. With respect to the provisions in the House and Senate reports that specifically allocate funds, each has been reviewed and those that are jointly concurred in have been included in this joint statement.

A summary chart appears later in this statement showing the Federal appropriations by account and the allocation of District funds by agency or office under each appropriation, the fiscal year 2004 request, the House and Senate recommendations, and the conference allowance.

The District of Columbia Appropriations Act, 2004, put in place by this bill, incorporates the following agreements of the managers:

TITLE I—FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

The conference agreement includes $17,000,000 for a Federal payment for resident tuition support as proposed by both the House and Senate. The agreement also includes language to require the Office of the Chief Financial Officer to provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate as proposed by the House. The Senate bill required the Resident Tuition Support Office and the Office of the Chief Financial Officer to provide such a report.

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

The conference agreement includes $11,000,000 for a Federal payment for emergency planning and security costs in the District of Columbia. This amount, together with funds carried over from fiscal year 2003, provides a total program level of $15,000,000 as proposed by both the House and Senate. The agreement makes a technical correction describing the use of these funds as proposed by the House.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

The conference agreement includes $167,765,000 for a Federal payment to the District of Columbia courts, instead of $163,819,000 as proposed by the House and $172,104,000 as proposed by the Senate. Included in this amount is $3,946,000 above the President's request for fire and security system upgrades, Moultrie Courthouse renovation, and the Integrated Justice Information System. The Courts shall provide written notification of how this funding will be distributed to the Committees on Appropriations of the House of Representatives and Senate.

The agreement includes a provision as proposed by the Senate to allow the District of Columbia courts to reallocate not more than $1,000,000 of the funds provided under this heading among items and entities funded under this heading. The House bill allowed funds for the Court of Appeals, Superior Court, and Court System to be reallocated, but such reallocation may increase or decrease funding for such entity by no more than two percent.

The conferees understand the Courts have submitted plans to the National Capital Planning Commission for the restoration of the Old Courthouse for re-use by the District of Columbia Court of Appeals, but the Commission is holding up review of these plans pending an agreement with the Law Enforcement Museum on a design for the outdoor plaza area. The conferees expect the project will move forward as quickly as possible to permit efficient use of taxpayer dollars, and note that delaying the review and approval of the restoration plan could needlessly increase the cost of the project.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

The conference agreement includes $32,000,000 for Defender Services in District of Columbia courts as proposed by both the House and Senate.

The agreement includes language as proposed by the Senate to allow funds to be used for payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code. The House bill contained no similar provision.

The agreement includes modified Senate language to allow the courts to enter into contractual agreements to provide guardian ad litem representation, training, technical assistance, and/or other services to improve the quality of guardian ad litem representation. The House bill contained no similar provision. The Joint Committee on Judicial Administration of the District of Columbia shall monitor the guardian ad litem program and provide the necessary technical support to ensure superior representation of children and families.

The agreement also includes two provisions as proposed by the House to allow District of Columbia Court funds to be used for payments under this heading and to allow the Joint Committee on Judicial Administration to use District of Columbia Court funds to make payments described under this heading for obligations incurred during any fiscal year. The Senate bill contained no similar provisions.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

The conference agreement includes $168,435,000 for a Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia, instead of $163,081,000 as proposed by the House and $173,396,000 as proposed by the Senate. Included in this amount is $1,910,000 above the President's request to reduce supervision caseload ratios for sex-offenders, mental health, and domestic violence cases to 25:1 by the end of fiscal year 2004. Current caseload ratios for these high-risk offenders are 36:1, 47:1, and 42:1, respectively.

The agreement includes language as proposed by the Senate to allow the Public Defender Service for the District of Columbia to transfer and hire motor vehicles. The House bill contained no similar provision. The agreement does not include Public Defender Service descriptive language as proposed by the Senate. The House bill contained no similar provision.

The agreement does not include a provision proposed by the Senate to allow the Director of the Court Services and Offender Supervision Agency the authority to accept appropriation reimbursements from the District government for space and services provided on a cost reimbursable basis. The House bill contained no similar provision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

The conference agreement includes $30,000,000 for a Federal payment to the District of Columbia Water and Sewer Authority for the continued implementation of the Combined Sewer Overflow Long-Term Plan, instead of $35,000,000 as proposed by the House and $25,000,000 as proposed by the Senate.

FEDERAL PAYMENT FOR HOSPITAL BIOTERRORISM PREPAREDNESS IN THE DISTRICT OF COLUMBIA

The conference agreement includes $7,500,000 for a Federal payment to the District of Columbia Department of Health for hospital bioterrorism preparedness in the District of Columbia, instead of $10,000,000 as proposed by the Senate. The House bill contained no similar provision. Of this amount, $3,750,000 is for the expansion of quarantine facilities and the establishment of a decontamination facility at Children's National Medical Center and $3,750,000 is for construction of containment facilities at the Washington Hospital Center.

FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT INITIATIVE

The conference agreement includes $5,000,000 for a Federal payment to the District of Columbia Department of Transportation for design and construction of a continuous pedestrian and bicycle trail system from the Potomac River to the District's border with Maryland, instead of $4,300,000 as proposed by the House and $6,000,000 as proposed by the Senate. The agreement also makes these funds available until September 30, 2005, as proposed by the House. The Senate bill made these funds available until expended. The conferees concur with language contained in the Senate report requiring the Comptroller General to conduct a study of National Park Service land in the District of Columbia.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

The conference agreement includes $1,300,000 for a Federal payment to the Criminal Justice Coordinating Council as proposed by the House. The Senate bill contained no similar provision.

FEDERAL PAYMENT FOR CAPITAL DEVELOPMENT IN THE DISTRICT OF COLUMBIA

The conference agreement includes $8,150,000 for a Federal payment to the District of Columbia for capital development, instead of $8,000,000 as proposed by the House and $5,000,000 as proposed by the Senate. Included in this amount is $150,000 for renovations at Eastern Market. Also included in this amount is

$8,000,000 for the Unified Communications Center as proposed by the House, instead of $5,000,000 as proposed by the Senate.

FEDERAL PAYMENT FOR PUBLIC SCHOOL FACILITIES

The conference agreement includes $4,500,000 for a Federal payment to the District of Columbia Public Schools for public school facilities. The Senate bill contained no similar provision. Of this amount, $500,000 is for a window repair and reglazing program and $4,000,000 is for a playground repair and replacement program.

FEDERAL PAYMENT FOR A FAMILY LITERACY PROGRAM

The conference agreement includes $2,000,000 for a Federal payment to the District of Columbia for a family literacy program as proposed by the House. The Senate bill contained no similar provision. The agreement also includes a provision as proposed by the House to require the District to provide a 100 percent match with local funds as a condition of receiving this payment. The Senate bill contained no similar provision.

FEDERAL PAYMENT FOR TRANSPORTATION ASSISTANCE

The conference agreement includes $3,500,000 for a Federal payment to the District of Columbia Department of Transportation for transportation assistance as proposed by the Senate. The House bill contained no similar provision. Of this amount, $500,000 is for a downtown circulator transit system and $3,000,000 is for the District's operating subsidy payment to the Washington Metropolitan Area Transit Authority.

FEDERAL PAYMENT FOR FOSTER CARE IMPROVEMENTS IN THE DISTRICT OF COLUMBIA

The conference agreement includes $14,000,000 for a Federal payment for foster care improvements in the District of Columbia as proposed by the Senate. The House bill contained no similar provision. Of this amount, $9,000,000 is for the District of Columbia Child and Family Services Agency, $3,900,000 is for the District of Columbia Department of Mental Health, and $1,100,000 is for the Washington Metropolitan Council of Governments.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

The conference agreement includes $32,350,000 for a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, instead of $10,000,000 as proposed by the House and $33,000,000 as proposed by the Senate. These funds are for programs and activities to support economic development and infrastructure in the District, and the health, education, and job training needs of District residents and are to be allocated as follows: $50,000 to the Educational Advancement Alliance for the Youth Civic Engagement and DC Exposure program; $75,000 to the Polaris Project for an outreach program to assist victims of trafficking; $100,000 for Anacostia Town Hall and Entertainment Center and the Washington Ballet for a collaborative effort to complete con-

struction of a dance studio to serve low-income children; $100,000 to Asian American Leadership, Empowerment and Development for Youth and Families for educational and social programs; $100,000 to the Association for the Preservation of Historic Congressional Cemetery for the development of a comprehensive landscape plan, the removal of dead or dying trees, and the continued repair of the Public Vault; $100,000 to the Levine School of Music for the establishment of a DC Charter Schools Music Education program; $100,000 to the Latin American Youth Center for renovation of a residential home for teen girls; $100,000 to the National Child Research Center for the establishment of early childhood education programs; $100,000 to the Youth Leadership Foundation for character building programs for middle school students; $125,000 to the Shakespeare Theater for educational outreach programs in the District of Columbia public schools; $150,000 to the International Youth Service and Development Corps for the Washington, D.C. Mentoring Friends program and the People's House Hotline; $150,000 to KidBiz3000 for a reading comprehension, fluency and vocabulary program in District of Columbia schools; $150,000 to Kids Voting USA for the establishment of citizenship programs in the District of Columbia; $150,000 to the Les Aspin Center of Government for training and development of the Community Service and Outreach program; $150,000 to Safe Shores—The D.C. Children's Advocacy Center for outreach and services to child abuse victims in the District; $150,000 to Southeastern University for expansion of the E-Learning program; $200,000 to the Best Friends Foundation for a youth development program for District youth; $200,000 to the Court Appointed Special Advocates (CASA) of the District of Columbia for expansion of services to children in the Family Court; $200,000 to the Congressional Glaucoma Caucus to purchase and equip additional mobile vans to screen for and treat glaucoma; $200,000 to Everybody Wins! DC, Inc. for the Power Lunch mentoring and literacy program; $200,000 to Friends of Fort Dupont Ice Arena for capital improvements; $200,000 to the National Music Center and Museum Foundation Institute for Education and the Arts for a program to use the performing and visual arts as teaching and learning tools in District public schools; $200,000 to the District of Columbia Public Libraries to expand access to public computers and the Internet in neighborhoods where it is needed the most; $200,000 to the Three Doctors Foundation, Inc. for an educational and motivational lecture series to include District of Columbia high schools; $200,000 to Values First, Inc. for the continuation of a values infusion program in the District of Columbia public schools; $200,000 to Washington Center on Best Practices for assistance to and promotion of early college awareness programs; $250,000 to American Cities Foundation to convene policymakers and civic leaders in the District of Columbia to address urban challenges; $250,000 to the ARISE Foundation for a life-management skills program targeting high-risk youth in the District; $250,000 to the Capitol Hill Arts Workshop for capital improvements; $250,000 to the Caribbean American Mission for Education Research and Action to build linkages between Caribbean educational entities and District of Columbia and other regional higher education institutions; $250,000 to New Leaders for New

Schools for the development of fellows partnerships with District public schools and public charter schools; $250,000 to the Phelps-Stokes Fund for the implementation of the Teacher's Laboratory and Workshop for District of Columbia Public School teachers; $300,000 to the DC Safe Kids Campaign to establish additional child safety seat fitting stations throughout low-income neighborhoods in the District of Columbia; $350,000 to Friends in Choice in Urban Schools for the development of new charter schools in the District; $350,000 to Soaring Towards Educational Enrichment via Equine Discovery, Inc. for an education and recreation program in the District; $400,000 to Catalyst for the establishment of the Benjamin Banneker Institute for Science and Technology; $400,000 to Community Youth Connection to provide clothing, shoes, eyeglasses, and services to low-income school-age children; $400,000 to the Eisenhower Foundation's Youth Safe Haven and Delancey Street Replication for services to reduce crime, drug use, and improve the lives of children in this neighborhood; $400,000 to Recording for the Blind and Dyslexic Services for teacher training in District of Columbia schools; $400,000 to initiate a Targeted Abstinence Program in the District of Columbia that will provide technical training and resource materials to promote effective intervention strategies; $400,000 to the Metropolitan Washington Council of Governments' District of Columbia Area Housing Trust Fund to increase funds available in a pool of resources to provide low-income housing in the District of Columbia; $450,000 to The House DC, Inc. for renovations; $500,000 to the Discovery Creek Children's Museum for the purchase of supplies for mobile school exhibits and to increase access to the museum's programs on the Chesapeake Bay and the Anacostia River; $500,000 for implementation of the Environmental Active Cap demonstration project on the Anacostia River; $500,000 to Gospel Rescue Ministries of Washington, DC for a residential program to help men and women recover from substance abuse, homelessness, and chronic unemployment; $500,000 to the National Capital Children's Museum for planning and design; $500,000 to the National Rehabilitation Hospital for capital improvements; $500,000 to Trident Systems Incorporated for deployment of the District Public Safety Situation Awareness system; $500,000 to the Second Chance Employment Service for capital equipment to expand services for women who have been victims of domestic violence; $500,000 to the Washington Opera for the Education and Community program to enhance classroom learning in District of Columbia Public Schools through music education and with the D.C. Arts Humanities Education Collaborative; $600,000 to Green Door for completion of a new facility to provide coordinated services for individuals with mental illness; $750,000 to the Center for Mental Health, Inc. to increase the number of families in the District served through its model of family-centered treatment; $750,000 to the Historical Society of Washington for the City Museum to develop educational programming and materials for District school children; $750,000 to the Institute for Educational Equity and Opportunity for educational programs; $750,000 to the National Center for Manufacturing Sciences for a partnership with the Excel Institute to develop a job training program for District residents; $750,000 to the Whitman-Walker Clinic

for renovation of the Max Robinson Center; $850,000 to the Women's Center for the expansion of the Family Strengthening Program and Hispanic Outreach Service into the District of Columbia; $1,000,000 to Access Housing for renovation of the Southeast Veterans Service Center; $1,000,000 to Barracks Row Main Street, Inc. for the construction of two gateways; $1,000,000 to Shakespeare Theater for construction of a new downtown facility which will provide affordable access to the Arts; $1,050,000 to Voyager Expanded Learning for implementation of the Universal Literacy Program in District of Columbia schools; $1,200,000 to the National Trust for Historic Preservation for the restoration of the Lincoln Cottage and for the creation of interpretive programs and exhibits at the site; $1,500,000 to the Old Naval Hospital Foundation project for creation of a community center on Capitol Hill; $2,000,000 to St. Coletta of Greater Washington, Inc. for property acquisition and construction of a facility to provide services for mentally retarded and multiple-handicapped adolescents and adults in the District of Columbia; and $5,000,000 to Children's National Medical Center in the District of Columbia for expansion of a neo-natal care unit, pediatric intensive care unit, and cardiac intensive care unit.

The agreement includes $200,000 to the Office of the Chief Financial Officer (OCFO) for auditors, attorneys, accountants, and additional staff to review and audit all entities who are receiving funding under this heading. The conferees expect that the OCFO will report to the Committees on Appropriations of the House of Representatives and Senate on the financial status of these organizations and how they have used Federal funds provided under this heading. The conferees expect all entities receiving funds to provide proper access to records as is necessary for the OCFO to carry out these reviews.

The agreement includes a provision as proposed by the Senate to require each entity that receives funding under this heading to submit to the Committees on Appropriations of the House of Representatives and Senate, a report on the activities carried out with such funds no later than March 15, 2004. The House bill contained no similar provision.

FEDERAL PAYMENT FOR EMERGENCY PERSONNEL CROSS TRAINING

The conference agreement includes $500,000 for a Federal payment to the Emergency Management Agency for activities related to the cross training of police officers, firefighters, emergency medical technicians, and other emergency personnel. The agreement makes these funds contingent upon the submission of a detailed cross training plan for the District's public safety workforce. The House and Senate bills contained no similar provision.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

The conference agreement includes $40,000,000 for a Federal payment for a school improvement program in the District of Columbia, instead of $10,000,000 as proposed by the House and $27,000,000 as proposed by the Senate. Included in this amount is $13,000,000 for the District of Columbia Public Schools to improve public school education; $13,000,000 for the State Education Office to expand quality charter schools in the District of Columbia; and

$14,000,000 for the Secretary of the Department of Education to provide opportunity scholarships for students in the District of Columbia.

The conferees expect that the $13,000,000 provided to the District of Columbia Public Schools for the improvement of public school education in the District of Columbia shall be used to strengthen leadership and instructional excellence through principal and teacher recruitment and retention, and to increase student achievement through supplemental services and public school choice.

The $13,000,000 provided to the State Education Office to expand charter schools in the District of Columbia shall be distributed as follows: $5,000,000 for the City Build Charter School Initiative; $6,000,000 for the Direct Loans Fund for Charter School Improvement, of which not more than five percent shall be for administrative expenses; and $2,000,000 as a one-time payment to the Charter School Facilities Fund.

The funding to develop the City Build Charter School Initiative will create five new charter schools in the District. The conferees support the concept that improving education is integral to securing neighborhoods and promoting urban development. The Mayor shall submit a plan to the Committees on Appropriations of the House of Representatives and Senate within thirty days of enactment, identifying the five potential City Build charter schools and detailing the city's plan for implementation of the Initiative.

In identifying the schools, the Mayor shall take into account how a new school would contribute to and encourage economic development in a specific neighborhood by: attracting business investment; stabilizing and increasing the population; and encouraging community collaboration. The conferees recommend that the Mayor hold a public meeting to consult with advocacy groups and community leaders on the location of the five City Build pilot schools. The Mayor shall notify Congress at regular intervals on the progress of the Initiative.

The $14,000,000 provided to the Secretary of the Department of Education is to provide opportunity scholarships to low-income students in the District of Columbia who are attending consistently under-performing public schools to choose to attend private schools within the District of Columbia. These scholarships will be for tuition, transportation, and fees at participating private schools within the District and cannot exceed $7,500 per student. If the funds provided are not sufficient to serve all the eligible applicants, scholarships will be awarded through random selection. The agreement intends that up to $1,000,000 of these funds may be used to administer and fund assessments for title III of this Act. The conferees expect the Secretary of Education to enter into a Memorandum of Understanding with the Mayor of the District of Columbia to select one or more grantees to administer the scholarship program through a competitive process.

The conferees expect that the Memorandum of Understanding between the Mayor and the Secretary will include, but not be limited to, the following components: (1) strong accountability measures and program performance evaluations; (2) specifications for a lottery system which will provide fair and unbiased acceptance of

students into the scholarship program, and allow participating schools to consider a sibling preference; (3) joint oversight by the Mayor of the District of Columbia and the Secretary of Education of the program's operations; (4) the evaluation and methodology for the selection of participating schools which have met the District of Columbia's current licensure requirements; (5) the methodology for determining the tuition and fees of participating schools, including the actual cost; (6) the development of appropriate oversight and accountability measures; and (7) teacher quality criteria.

TITLE II—DISTRICT OF COLUMBIA FUNDS OPERATING EXPENSES

DIVISION OF EXPENSES

The conference agreement provides that operating expenses for the District of Columbia for fiscal year 2004 shall not exceed $6,326,138,000, of which $3,832,734,000 is from local funds, including $96,248,000 from funds identified in the fiscal year 2002 comprehensive annual financial report as the District's fund balance funds, $1,568,734,000 is from Federal grant funds, $910,904,000 is from other funds, and $13,766,000 is from private funds as proposed by both the House and Senate. In addition, the agreement includes $119,650,000 from funds previously appropriated in this Act as Federal payments, instead of $59,800,000 as proposed by the House and $109,500,000 as proposed by the Senate.

The agreement exempts sections 417 and 436 from the total appropriation provided under this heading. The House bill provided an exemption for section 417 and the Senate bill provided for the exemption of all provisions of this Act.

The agreement does not include an earmark for intra-District funds as proposed by the Senate. The House bill contained no similar provision.

GOVERNMENTAL DIRECTION AND SUPPORT

The conference agreement includes $284,415,000 for governmental direction and support, including $206,825,000 from local funds, $57,440,000 from Federal grant funds, and $20,150,000 from other funds as proposed by both the House and Senate. In addition, the agreement includes $46,450,000 from funds previously appropriated in this Act as Federal payments, instead of $10,000,000 as proposed by the House and $21,100,000 as proposed by the Senate. These Federal payment funds are allocated as follows:

Office of the Mayor.—$1,100,000 for foster care improvements, $2,000,000 for a family literacy program, and $11,000,000 for emergency planning and security costs.

Office of the Chief Financial Officer.—$32,350,000 to support economic development and infrastructure in the District, and the health, education, and job training needs of District residents.

The conferees are disappointed with the slow pace in which the District and the Board of Education are providing charter schools access to surplus public school facilities and space in underutilized schools. There are 28 surplus schools in the city's inventory that could be made available to charter schools. Likewise, student enrollment in public schools is down almost 15,000 freeing up space

equivalent to 20 school buildings. Yet 23 charter schools do not have permanent homes and new charter schools are being established each year. The conferees believe the District should take this opportunity to provide strong leadership and foster a plan to develop and promote public schools and public charter schools, including the co-location of schools. The conferees direct the District government and the Board of Education to develop a task force to study what can be done to ensure the equitable and efficient use of public school buildings, both surplus and underutilized buildings. The conferees request a report no later than January 16, 2004 on the status of this task force.

ECONOMIC DEVELOPMENT AND REGULATION

The conference agreement includes $276,647,000 for economic development and support, including $53,336,000 from local funds, $91,077,000 from Federal grant funds, $132,109,000 from other funds, and $125,000 from private funds as proposed by both the House and Senate.

PUBLIC SAFETY AND JUSTICE

The conference agreement includes $745,958,000 for public safety and justice, including $716,715,000 from local funds, $10,290,000 from Federal grant funds, $18,944,000 from other funds, and $9,000 from private funds as proposed by both the House and Senate. In addition, the agreement includes $1,800,000 from funds previously appropriated in this Act as Federal payments, instead of $1,300,000 as proposed by the House. The Senate bill contained no similar provision. These Federal payment funds are allocated as follows:

Emergency Management Agency.—$500,000 for emergency personnel cross training.

Criminal Justice Coordinating Council.—$1,300,000 to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

PUBLIC EDUCATION SYSTEM

The conference agreement includes $1,157,841,000 for the public education system, including $962,941,000 from local funds, $156,708,000 from Federal grant funds, $27,074,000 from other funds, $4,302,000 from private funds, and not to exceed $6,816,000 from the Medicaid and Special Education Reform Fund as proposed by both the House and Senate. In addition, the agreement includes $47,500,000 from funds previously appropriated in this Act as Federal payments, instead of $21,500,000 as proposed by the House and $43,000,000 as proposed by the Senate. These Federal payment funds are allocated as follows:

District of Columbia Public Schools.—$4,500,000 for public school facilities and $13,000,000 for school improvement.

State Education Office.—$13,000,000 for school improvement and $17,000,000 for resident tuition support.

The conferees are disappointed with the slow pace in which the District and the Board of Education are providing charter schools access to surplus public school facilities and space in underutilized

schools. There are 28 surplus schools in the city's inventory that could be made available to charter schools. Likewise, student enrollment in public schools is down almost 15,000 freeing up space equivalent to 20 school buildings. Yet 23 charter schools do not have permanent homes and new charter schools are being established each year. The conferees believe the District should take this opportunity to provide strong leadership and foster a plan to develop and promote public schools and public charter schools, including the co-location of schools. The conferees direct the District government and the Board of Education to develop a task force to study what can be done to ensure the equitable and efficient use of public school buildings, both surplus and underutilized buildings. The conferees request a report no later than January 16, 2004 on the status of this task force.

The Telecommunications Act of 1996 designated elementary and secondary schools and libraries as beneficiaries of universal service for telecommunications services. This specific support, in the form of discounts on telecommunications services, has become known as the education rate or E-rate. The conferees request a report no later than March 1, 2004 that shows, by fiscal year, the total amount of E-rate funding District of Columbia Public Schools received and a breakout of which schools received funding and how much they received. The report should also include further details of how each school spent its E-rate funding and a brief description of the impact this funding has had on integrating technology into its curriculum and programs.

District of Columbia Public Schools.—The allocation includes $870,135,000 for District of Columbia public schools, including $738,444,000 from local funds, $114,749,000 from Federal grant funds, $6,527,000 from other funds, $3,599,000 from private funds, and not to exceed $6,816,000 from the Medicaid and Special Education Reform Fund as proposed by both the House and Senate. In addition, the agreement includes $17,500,000 from funds previously appropriated in this Act as Federal payments, instead of $4,500,000 as proposed by the House. The Senate bill contained no similar provision.

State Education Office.—The allocation includes $38,752,000 for the State education office, including $9,959,000 from local funds, $28,617,000 from Federal grant funds, and $176,000 from other funds as proposed by both the House and Senate. In addition, the agreement includes $30,000,000 from funds previously appropriated in this Act as Federal payments, instead of $43,000,000 as proposed by the Senate. The House bill contained no similar provision.

District of Columbia Public Charter Schools.—The allocation includes $137,531,000 from local funds for District of Columbia public charter schools as proposed by both the House and Senate.

University of the District of Columbia.—The allocation includes $80,660,000 for the University of the District of Columbia, including $48,656,000 from local funds, $11,867,000 from Federal grant funds, $19,434,000 from other funds, and $703,000 from private funds as proposed by both the House and Senate.

District of Columbia Public Libraries.—The allocation includes $28,287,000 for District of Columbia public libraries, including

$26,750,000 from local funds, $1,000,000 from Federal grant funds, and $537,000 from other funds as proposed by both the House and Senate. In addition, the agreement includes $200,000 from funds previously appropriated in this Act as Federal payments to the Office of the Chief Financial Officer to expand access to public computers and the Internet in neighborhoods where it is needed the most.

Commission on the Arts and Humanities.—The allocation includes $2,476,000 for the commission on the arts and humanities, including $1,601,000 from local funds, $475,000 from Federal grant funds, and $400,000 from other funds as proposed by both the House and Senate.

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $2,360,067,000 for human support services, including $1,030,223,000 from local funds, $1,247,945,000 from Federal grant funds, $24,330,000 from other funds, $9,330,000 from private funds, and $48,239,000 from the Medicaid and Special Education Reform Fund as proposed by both the House and Senate. In addition, the agreement includes $20,400,000 from funds previously appropriated in this Act as Federal payments, instead of $12,900,000 as proposed by the Senate. The House bill contained no similar provision. These Federal payment funds are allocated as follows:

Department of Mental Health.—$3,900,000 for foster care improvements.

Department of Health.—$7,500,000 for hospital bioterrorism preparedness.

Child and Family Services Agency.—$9,000,000 for foster care improvements.

PUBLIC WORKS

The conference agreement includes $327,046,000 for public works, including $308,028,000 from local funds, $5,274,000 from Federal grant funds, and $13,744,000 from other funds as proposed by both the House and Senate. In addition, the agreement includes $3,500,000 from funds previously appropriated in this Act as Federal payments as proposed by the Senate. The House bill contained no similar provision. These Federal payment funds are allocated as follows:

Department of Transportation.—$3,500,000 for transportation assistance.

CASH RESERVE

The conference agreement includes $50,000,000 from local funds for the cumulative cash reserve as proposed by both the House and Senate.

EMERGENCY AND CONTINGENCY RESERVE FUNDS

The conference agreement provides such amounts from local funds as are necessary to meet the balance requirements for the

emergency reserve fund and the contingency reserve fund as proposed by both the House and Senate.

REPAYMENT OF LOANS AND INTEREST

The conference agreement includes $311,504,000 from local funds for repayment of loans and interest as proposed both the House and Senate.

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

The conference agreement includes $3,000,000 from local funds for payment on short-term borrowing as proposed by both the House and Senate.

CERTIFICATES OF PARTICIPATION

The conference agreement includes $4,911,000 from local funds for certificates of participation as proposed by both the House and Senate.

SETTLEMENTS AND JUDGMENTS

The conference agreement includes $22,522,000 from local funds for settlements and judgments as proposed by both the House and Senate.

WILSON BUILDING

The conference agreement includes $3,704,000 from local funds for the Wilson building as proposed by both the House and Senate.

WORKFORCE INVESTMENTS

The conference agreement includes $22,308,000 from local funds for workforce investments as proposed by both the House and Senate.

NON-DEPARTMENTAL AGENCY

The conference agreement includes $19,639,000 for the non-Department agency, including $11,455,000 from local funds and $8,184,000 from other funds as proposed by both the House and Senate.

PAY-AS-YOU-GO CAPITAL

The conference agreement includes $11,267,000 from local funds for pay-as-you-go capital as proposed by both the House and Senate.

TAX INCREMENT FINANCING PROGRAM

The conference agreement includes $1,940,000 from local funds for a tax increment financing program as proposed by both the House and Senate.

MEDICAID DISALLOWANCE

The conference agreement includes $57,000,000 from local funds for making refunds associated with disallowed Medicaid funding as proposed by both the House and Senate.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

The conference agreement includes $259,095,000 from other funds for the water and sewer authority as proposed by both the House and Senate. The agreement also includes $229,807,000 from other funds for construction projects instead of $199,807,000 as proposed by both the House and Senate. In addition, the agreement includes $30,000,000 from funds previously appropriated in this Act as a Federal payment for the combined sewer overflow long-term plan, instead of $35,000,000 as proposed by the House and $25,000,000 as proposed by the Senate.

WASHINGTON AQUEDUCT

The conference agreement includes $55,553,000 from other funds for the Washington aqueduct as proposed by both the House and Senate.

STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

The conference agreement includes $3,501,000 from other funds for the stormwater permit compliance enterprise funds as proposed by both the House and Senate.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

The conference agreement includes $242,755,000 from other funds for the lottery and charitable games enterprise fund as proposed by both the House and Senate.

SPORTS AND ENTERTAINMENT COMMISSION

The conference agreement includes $13,979,000 from local funds for the sports and entertainment commission as proposed by both the House and Senate.

DISTRICT OF COLUMBIA RETIREMENT BOARD

The conference agreement includes $13,895,000 for the District of Columbia retirement board from other funds as proposed by both the House and Senate.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

The conference agreement includes $69,742,000 from other funds for the Washington convention center enterprise fund as proposed by both the House and Senate.

NATIONAL CAPITAL REVITALIZATION CORPORATION

The conference agreement includes $7,849,000 from other funds for the National capital revitalization corporation as proposed by both the House and Senate.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

The conference agreement includes $1,004,796,000 for capital outlays, including $601,708,000 from local funds, $46,014,000 from Highway Trust funds, $38,311,000 from the Rights-of-way funds, $218,880,000 from Federal grant funds, and a rescission of $99,884,000 from local funds appropriated under this heading in prior years as proposed by both the House and Senate. In addition, the agreement includes $13,150,000 from funds previously appropriated in this Act as Federal payments, instead of $4,300,000 as proposed by the House and $11,000,000 as proposed by the Senate. These Federal payment funds are allocated as follows: $150,000 for renovations at Eastern Market; $5,000,000 for the Anacostia Waterfront Initiative; and $8,000,000 for the Unified Communications Center.

The conferees request that a report on the activities carried out with these funds be submitted to the Committees on Appropriations of the House of Representatives and Senate no later than March 15, 2004.

TITLE III—DC SCHOOL CHOICE INCENTIVE ACT OF 2003

The conference agreement includes language to establish a 5–year school choice program in the District of Columbia.

TITLE IV—GENERAL PROVISIONS

The conference agreement changes several section numbers for sequential purposes and makes technical revisions to several provisions.

The conference agreement retains Sec. 407(a) as proposed by the House to prohibit the use of any funds in the Act for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature. The Senate bill allowed the use of local funds for this purpose.

The conference agreement retains Sec. 407(b) and (c) as proposed by the House to allow the use of local funds to carry out lobbying activities on any matter except the promotion or support of any boycott, statehood for the District or voting representation in Congress. The Senate bill allowed the use of local funds for these purposes.

The conference agreement retains Sec. 417 as proposed by the House to establish criteria for the acceptance, obligation, and expenditure of Federal, private, and other grants by the District government. The Senate bill included a similar provision, but included different criteria.

The conference agreement includes Sec. 421 as proposed by the House to prohibit the use of any funds contained in this Act for needle exchange programs. The Senate bill allowed the use of local funds for such programs.

The conference agreement makes Sec. 429 permanent law as proposed by the House. The Senate bill contained no similar provision.

The conference agreement makes Sec. 431 permanent law as proposed by the House. The Senate bill contained no similar provision.

The conference agreement includes Sec. 432 as proposed by the Senate. The House bill contained a similar provision, but required that all savings be used to expand special education services within the District.

The conference agreement includes Sec. 434 to amend the Student Loan Marketing Association Reorganization Act of 1996 to clarify that annual administrative costs should be provided through the credit enhancement fund. The House and Senate bills contained no similar provision. The administrative fee cannot exceed 5 percent within any year, is non-cumulative, and is to be based on annual calculations. Any unobligated amounts at the close of the fiscal year shall revert back to the credit enhancement fund prior to the calculation of the following year's administrative cap. These funds will enable the Office of Charter School Financing and Support to expand its ability to conduct outreach to charter schools and provide technical assistance to attain appropriate facilities.

The conference agreement includes Sec. 435 as proposed by the Senate to provide for the appointment and compensation of counsel in adoption cases. The House bill contained no similar provision.

The conference agreement includes Sec. 436 which amends Senate Sec. 141 to allow the District to exceed its appropriation by not more than $15,000,000 from funds identified in comprehensive annual financial report as the fiscal year 2003 general fund surplus with prior approval from the Committees on Appropriations. The House bill contained no similar provision.

The conference agreement does not include a provision as proposed by the House to prohibit the use of funds in the Act to support the action of *District of Columbia, et al.,* v. *Beretta U.S.A. et al.* The Senate bill contained no similar provision.

The conference agreement does not include a provision as proposed by the Senate related to the District acceptance and use a gift or donation. The House bill contained no similar provision. This provision is permanent law.

The conference agreement does not include a provision as proposed by the Senate related to the procurement of goods or services. The House bill contained no similar provision.

The conference agreement does not include a provision as proposed by the Senate related to payments within the District of Columbia Courts. The House bill contained no similar provision. This provision is permanent law.

The conference agreement does not include a provision as proposed by the Senate related to the Crime Victims Compensation Fund. The House bill contained no similar provision. This provision is permanent law.

The conference agreement does not include a provision as proposed by the Senate related to other type funds. The House bill contained no similar provision.

DISTRICT OF COLUMBIA APPROPRIATIONS BILL - FY 2004 (H.R. 2765)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	House	Senate	Conference	Conference vs. Enacted
TITLE I						
FEDERAL FUNDS						
Federal payment for Resident Tuition Support	16,889	17,000	17,000	17,000	17,000	+111
Federal payment for Emergency Planning and Security Costs in the District of Columbia	14,902	15,000	15,000	15,000	11,000	-3,902
Federal payment to the District of Columbia Courts	160,890	163,819	163,819	172,104	167,765	+6,875
Defender Services in District of Columbia Courts	16,989	32,000	32,000	32,000	32,000	+15,011
Unobligated Balance	(16,400)	---	---	---	---	(-16,400)
Defender Services program level	(33,389)	(32,000)	(32,000)	(32,000)	(32,000)	(-1,389)
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia	153,701	166,525	163,081	173,396	168,435	+14,734
Federal payment to the District of Columbia Water and Sewer Authority	49,675	15,000	35,000	25,000	30,000	-19,675
Federal payment for Hospital Bioterrorism Preparedness in the District of Columbia	9,935	---	---	10,000	7,500	-2,435
Federal payment for the Anacostia Waterfront Initiative /1	4,968	10,000	4,300	6,000	5,000	+32
Federal payment to the Criminal Justice Coordinating Council /2	---	1,300	1,300	---	1,300	+1,300
Federal payment for Capital Development in the District of Columbia	10,084	---	8,000	5,000	8,150	-1,934
Federal payment for Public School Facilities	---	---	4,500	---	4,500	+4,500
Federal payment for Childrens Hospital /2	---	---	---	10,000	---	---
Federal payment for St. Coletta /2	---	---	---	2,000	---	---
Federal payment for the Family Literacy Program	3,974	---	2,000	---	2,000	-1,974
Federal payment for Transportation Assistance	---	---	---	3,500	3,500	+3,500
Federal payment for Foster Care Improvements in the District of Columbia	---	---	---	14,000	14,000	+14,000
Federal Payment to the Office of the Chief Financial Officer of the District of Columbia	40,535	---	10,000	33,000	32,350	-8,185
Federal Payment for emergency personnel cross training	---	---	---	---	500	+500
Federal payment for School Improvement	---	---	10,000	27,000	40,000	+40,000
Federal payment to the District of Columbia Department of Transportation	993	---	---	---	---	-993
Federal payment for Waterfront Improvements	2,285	---	---	---	---	-2,285
Federal payment for Asbestos Remediation	993	---	---	---	---	-993
Federal payment to the Fire and Emergency Medical Services Department	1,987	---	---	---	---	-1,987
Federal payment for Special Education	2,981	---	---	---	---	-2,981
Federal payment to the District of Columbia for Public Charter School Facilities	16,889	---	---	---	---	-16,889
Total, Federal funds to the District of Columbia	508,670	420,644	466,000	545,000	545,000	+36,330

1/ Funds are for the Anacostia Riverwalk and Trail construction.

2/ $298,000, $4,987,000, and $1,987,000 respectively is included in FY2003 under Federal payment to the Chief Financial Officer of the District of Columbia.

DISTRICT OF COLUMBIA FUNDS						
Operating Expenses						
Governmental direction and support	(303,673)	(284,415)	(284,415)	(284,415)	(284,415)	(-19,258)
Economic development and regulation	(244,358)	(276,647)	(276,647)	(276,647)	(276,647)	(+32,289)
Public safety and justice	(622,531)	(745,958)	(745,958)	(745,958)	(745,958)	(+123,427)
Public education system	(1,206,169)	(1,157,841)	(1,157,841)	(1,157,841)	(1,157,841)	(-48,328)
Human support services	(2,451,818)	(2,360,067)	(2,360,067)	(2,360,067)	(2,360,067)	(-91,751)
Public Works	(320,357)	(327,046)	(327,046)	(327,046)	(327,046)	(+6,689)
Reserve	(70,000)	---	---	---	---	(-70,000)
Cash Reserve	---	(50,000)	(50,000)	(50,000)	(50,000)	(+50,000)
Repayment of Loans and Interest	(260,951)	(311,504)	(311,504)	(311,504)	(311,504)	(+50,553)
Repayment of General Fund Recovery Debt	(39,300)	---	---	---	---	(-39,300)
Payment of Interest on Short-Term Borrowing	(1,000)	(3,000)	(3,000)	(3,000)	(3,000)	(+2,000)
Certificates of Participation	(7,950)	(4,911)	(4,911)	(4,911)	(4,911)	(-3,039)
Settlements and Judgments	(22,822)	(22,522)	(22,522)	(22,522)	(22,522)	(-300)
Wilson Building	(4,194)	(3,704)	(3,704)	(3,704)	(3,704)	(-490)
Workforce Investments	(48,186)	(22,308)	(22,308)	(22,308)	(22,308)	(-25,878)
Non-Departmental Agency	(5,799)	(19,639)	(19,639)	(19,639)	(19,639)	(+13,840)
Pay-As-You-Go Capital	---	(11,267)	(11,267)	(11,267)	(11,267)	(+11,267)
Tax Increment Financing Program	---	(1,940)	(1,940)	(1,940)	(1,940)	(+1,940)
Medicaid Disallowance	---	(57,000)	(57,000)	(57,000)	(57,000)	(+57,000)
Emergency Planning and Security Costs	(15,000)	---	---	---	---	(-15,000)
Total, operating expenses, general fund	(5,624,108)	(5,659,769)	(5,659,769)	(5,659,769)	(5,659,769)	(+35,661)
Enterprise and Other Funds						

DISTRICT OF COLUMBIA APPROPRIATIONS BILL - FY 2004 (H.R. 2765)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	House	Senate	Conference	Conference vs. Enacted
Water and Sewer Authority	(253,743)	(259,095)	(259,095)	(259,095)	(259,095)	(+5,352)
Washington Aqueduct	(57,847)	(55,553)	(55,553)	(55,553)	(55,553)	(-2,294)
Stormwater Permit Compliance enterprise fund	(3,100)	(3,501)	(3,501)	(3,501)	(3,501)	(+401)
Lottery and Charitable Games enterprise fund	(232,881)	(242,755)	(242,755)	(242,755)	(242,755)	(+9,874)
Sports and Entertainment Commission	(20,510)	(13,979)	(13,979)	(13,979)	(13,979)	(-6,531)
District of Columbia Retirement Board	(13,388)	(13,895)	(13,895)	(13,895)	(13,895)	(+507)
Washington Convention Center enterprise fund	(78,700)	(69,742)	(69,742)	(69,742)	(69,742)	(-8,958)
National Capital Revitalization Corporation	(6,745)	(7,849)	(7,849)	(7,849)	(7,849)	(+1,104)
Total, Enterprise Funds	(666,914)	(666,369)	(666,369)	(666,369)	(666,369)	(-545)
Total, operating expenses	(6,291,022)	(6,326,138)	(6,326,138)	(6,326,138)	(6,326,138)	(+35,116)
Capital Outlay						
General fund	(670,520)	(904,913)	(904,913)	(904,913)	(904,913)	(+234,393)
Water and Sewer Fund	(342,458)	(199,807)	(199,807)	(199,807)	(229,807)	(-112,651)
Total, Capital Outlay	(1,012,978)	(1,104,720)	(1,104,720)	(1,104,720)	(1,134,720)	(+121,742)
Total, District of Columbia funds	(7,304,000)	(7,430,858)	(7,430,858)	(7,430,858)	(7,460,858)	(+156,858)
Grand total:						
Federal Funds to the District of Columbia	508,670	420,644	488,000	545,000	545,000	+36,330
District of Columbia funds	(7,304,000)	(7,430,858)	(7,430,858)	(7,430,858)	(7,460,858)	(+156,858)

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follows:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2003	$508,670
Budget estimates of new (obligational) authority, fiscal year 2004	420,644
House bill, fiscal year 2004	466,000
Senate bill, fiscal year 2004	545,000
Conference agreement, fiscal year 2004	545,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2003	+36,330
Budget estimates of new (obligational) authority, fiscal year 2004	+124,356
House bill, fiscal year 2004	+79,000
Senate bill, fiscal year 2004	+0

DIVISION D—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS, 2004

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The managers note that in fiscal year 2004, there is no request by the President for a subsidy appropriation for the Export-Import Bank of the United States. While the conference agreement provides no funding for the subsidy appropriation, the managers expect that there will be no reduction in Export-Import Bank activity levels due to the extraordinarily high level of carryover balances in fiscal year 2004, which total approximately $575,000,000.

The conference report includes no appropriation for the tied-aid "war chest". The estimated $260,000,000 remaining "war chest" balance for tied-aid purposes may be used to support loans. The managers continue to expect that none of the funds appropriated by prior Acts for the tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations.

The conference agreement appropriates $72,895,000 for administrative expenses for the Export-Import Bank, instead of $71,395,000 as proposed by the House and $74,395,000 as proposed by the Senate.

The conference agreement does not include a first-time appropriation for the Office of Inspector General. The Senate provided $1,000,000 for this office and the House did not address this matter. The managers note that the Export-Import Bank already has an audit committee and other regimes in place, including independent auditors that provide financial oversight to its operations.

OVERSEAS PRIVATE INVESTMENT CORPORATION

The managers direct the President of OPIC to continue current policy and consult with the Committees on Appropriations before any future financing for non-governmental organizations or private and voluntary organizations is approved.

TRADE AND DEVELOPMENT AGENCY

The managers commend the Trade and Development Agency (TDA) for its efforts to assist countries in improving their aviation safety and security systems, which has had a positive effect on enhancing United States trade for our aviation and aerospace industries. The managers recognize that setting aviation and safety standards worldwide is an important component for integrating a global system of trade. Accordingly, the managers recommend $1,500,000 for TDA to promote its work in this area by providing for the development of training materials to help prepare participating countries for International Civil Aviation Organization (ICAO) audits and to correct safety and security deficiencies.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

The conference agreement appropriates $1,835,000,000 for the Child Survival and Health Programs Fund instead of $2,235,830,000 as proposed by the House and $1,435,500,000 as proposed by the Senate. Significant funding for HIV/AIDS is in a new account, the "Global HIV/AIDS Initiative", and additional funding for HIV/AIDS, tuberculosis (TB), malaria, and other health issues is provided in Assistance for Eastern Europe and the Baltic States, Economic Support Fund, Assistance for the Independent States of the Former Soviet Union, and Foreign Military Financing accounts. The managers welcome the emergence of the Office of the Global AIDS Coordinator at the State Department, and specific direction for this office and its funding is included under the heading "Global HIV/AIDS Initiative".

The conference agreement includes the list of funding categories as proposed by the House which makes clear that funding for children orphaned or otherwise made vulnerable by HIV/AIDS should be considered separately from that for other orphans and vulnerable children. The managers also include $250,000 for the monitoring and oversight of child survival, maternal and family planning/reproductive health, and infectious disease programs, instead of $150,000 as contained in the Senate.

The conference agreement includes language allocating $1,835,000,000 among seven program categories in the Child Survival and Health Programs Fund: $330,000,000 for child survival and maternal health, including vaccine-preventable diseases such as polio; $28,000,000 for vulnerable children (not including children affected by HIV/AIDS); $516,500,000 for HIV/AIDS, including assistance for communities, including children orphaned by HIV/AIDS and otherwise affected by the disease; $185,000,000 for other infectious diseases, including TB and malaria; $375,500,000 for reproductive health/family planning; and $400,000,000 for the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global ATM Fund). The managers expect that any change proposed subsequent to the allocation as directed in bill language will be subject to the requirements of section 515 of this Act. A definition of program categories and their components can be found on pages 9 through 11 of House

Report 107–142 and under the heading "Family Planning/Reproductive Health" on page 12 of Senate Report 107–58. The managers, for the first time in several years, include funding for UNICEF in "International Organizations and Programs" rather than in this account.

The managers commend the President for his commitment to combat HIV/AIDS, TB, and malaria. The conference agreement includes $1,646,000,000 to fight these three diseases, and anticipates that $754,00,000 is available in the Labor, Health and Human Services Appropriations Act. It is anticipated that a total of $2,400,000,000 is provided to fight HIV/AIDS, TB, and malaria in these two Acts.

Of the amounts in this Foreign Operations Appropriations Act, $516,500,000, $185,000,000, and $400,000,000 are for HIV/AIDS, TB, and malaria, and a United States contribution to the Global ATM Fund, respectively. An additional $491,000,000 is included in the Global HIV/AIDS Initiative account, and $53,500,000 is in Economic Support Fund, Foreign Military Financing, and regional accounts for Eastern Europe and the Baltic States and the Former Soviet Union.

Foreign Operations funding for HIV/AIDS, TB, and Malaria, fiscal year 2004

Child Survival and Health Programs Fund (CSH)	1,101,500,000
HIV/AIDS	(516,500,000)
Other Infectious Diseases (TB + malaria)	(185,000,000)
Global ATM Fund	(400,000,000)
Global HIV/AIDS Initiative	491,000,000
Other bilateral accounts, HIV/AIDS, TB, malaria	53,500,000
Total, HIB/AIDS, TB, malaria	1,646,000,000

The managers recognize that these three pandemics, especially HIV/AIDS and TB, are closely related, and that the response to them can not readily be separated. However, the managers have estimated how this $1,646,000,000 could be disaggregated by major infectious disease for tracking purposes. The managers also note that funding for "other infectious disease" should be allocated for activities besides fighting tuberculosis and malaria, such as disease surveillance. The TB and malaria estimates in this section should not be construed to indicate that these activities should not be undertaken.

The conference agreement provides not less than $1,283,500,000 for programs for the prevention and treatment of HIV/AIDS, and for care and support of those infected and affected by the disease. $756,500,000 is funded through the Child Survival and Health Programs Fund, including $240,000,000 as a conservative estimate of the amount form this Act that will be allocated for HIV/AIDS by the Global ATM Fund. An additional $491,000,000 is included in the Global HIV/AIDS Initiative account, and an estimated $36,000,000 is provided through other accounts, such as the Economic Support Fund, International Disaster Assistance, Foreign Military Financing, and regional accounts for Eastern Europe and the former Soviet Union. The estimate of $1,283,500,000 for HIV/AIDS does not include the United States share of HIV/AIDS assistance through the World Bank Group.

The managers provide most HIV/AIDS funding in two accounts, Child Survival and Health and a new account, the Global HIV/AIDS Initiative, similar to the structure of the Senate bill and the budget request. Instructions retained from the House bill and relevant to the Global HIV/AIDS Initiative are included under that heading. The managers intend that the $516,500,000 allocated for HIV/AIDS in the Child Survival and Health Programs Fund will be used to finance on-going programs, and that the $491,000,000 in the Global HIV/AIDS Initiative account will be used for new and expanded programs in 15 focus countries.

The managers recognize that the epicenter of the HIV/AIDS epidemic is moving from Africa and the Caribbean toward Asia, Eastern Europe, and the former Soviet Union. In order to help prevent these epidemics from exploding, the managers once again direct that funds form the Child Survival and Health Programs Fund be made available for HIV/AIDS programs in Eastern Europe and the former Soviet Union. The conference report also includes funds under several bilateral accounts specifically to fight HIV/AIDS, TB, and malaria. The managers also encourage USAID, working in coordination with the Global AIDS Coordinator, to make make available funds from Child Survival and Health Programs Fund for HIV/AIDS program in "EST countries" other than those for which funds are specifically mandated in this Act.

The managers concur with the President's 2001 remarks at the announcement of the initial United States contribution to the proposed Global Fund to Fight AIDS, Tuberculosis and Malaria that a successful approach to fighting these diseases must incorporate bilateral and multilateral programs and approaches, and that the Global ATM Fund has a crucial role to play in marshalling and distributing international resources.

The conference agreement includes $400,000,000 for a contribution to the Global ATM Fund, as proposed by the House, rather than $250,000,000 as in the Senate bill or $100,000,000 as contained in the budget request. The managers note that, of the awards pledged thus far by the Global ATM Fund to recipient countries, approximately 60 percent are for HIV/AIDS interventions, 23 percent are for malaria interventions, and 17 percent are for TB or combined TB/AIDS interventions. The managers have used these percentages to estimate the portion of the United States contributions to the Global ATM Fund that is likely be attributed for each disease.

The managers intend that the United States contributions to the Global ATM Fund be used to leverage other donors' contributions. The conference agreement does not include a provision contained in the House bill limiting the United States contribution to the Global ATM Fund to not more than one-half of all contributions from other sources because a provision addressing the same matter is contained in section 202 of Public Law 108–25, the "United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003". The managers expect that the Global AIDS Coordinator will use the funds provided for a United States contribution to the Global ATM Fund to maximally leverage resources from other donors.

However, the managers also recognize that funding cycles for donors vary, and that the application of the above provision may cause a portion of funds allocated for a United States contribution to the Global ATM Fund to remain unspent. Therefore, the conference report also includes a "kick-out" clause, as proposed by both the House and the Senate, which would ensure that funds are used for bilateral HIV/AIDS programs if other donors are unable to fully match the intended United States contribution to the Global ATM Fund. This provision is addressed in section 595. The managers expect that the Global AIDS Coordinator will bear in mind the managers' support for the Global ATM Fund and will judiciously use the flexibility provided by this "kick-out" clause to ensure that funds are allocated to the most effective uses.

The conference agreement does not include a Senate provision regarding the percentage of the budget for prevention and treatment programs of the Global Fund to Fight AIDS, Tuberculosis and Malaria that is made available to support technical assistance to ensure the quality of such programs. However, the managers recognize the importance of technical assistance and note the extensive resources and experience of the United States Government in providing such assistance. The managers urge the Global AIDS Coordinator to seek to ensure that an appropriate percentage of resources are utilized for this purpose.

When funding through bilateral programs administered by USAID is considered in combination with the United States contribution to the Global ATM Fund, the conference agreement provides a total of $169,000,000 for TB assistance. Of this amount, $92,500,000 is funded through the "other infectious diseases" allocation in this amount, an estimated $8,500,000 from other bilateral accounts, and $68,000,000 through the contribution to the Global ATM Fund.

For malaria, the conference agreement provides a total of $193,500,000. Of this amount, it is expected that $92,000,000 of the contribution to the Global ATM Fund will fund malaria programs, $92,500,000 is funded through the "other infectious diseases" allocation in this amount, and an estimated $9,000,000 is provided from other bilateral accounts.

The managers expect USAID to allocate up to 10 percent of its funding for malaria programs to medicines and vaccine research and development, including $3,000,000 for the Medicines for Malaria Venture, and the same amount for the Malaria Vaccine Initiative.

The conference agreement includes bill language, proposed by the Senate, regarding the development of microbicides as a means of combating HIV/AIDS.

The conference agreement does not include up to $150,000,000 for mother and child HIV prevention as contained in the Senate bill. However, the managers expect that funds will be made available from the HIV/AIDS allocation in this account and from funds provided in the Global HIV/AIDS Initiative account.

The conference account provides not less than $26,000,000 for research on and testing of HIV/AIDS vaccines. These funds should be allocated by the Global AIDS Coordinator at the Department of State to the International AIDS Vaccine Initiative. The managers

expect that $10,000,000 will be used for cooperative projects coordinated with the European Union's new 5-year program, the "AIDS Vaccine Integrated Project," and in cooperation with the Partnership for AIDS Vaccine Evaluation (PAVE) operating under the aegis of the Department of Health and Human Services.

The conference agreement also provides that not less than $26,000,000 should be made available as a United States contribution to UNAIDS, instead of $28,000,000 as proposed by the Senate. The House did not address this matter. The managers note the central role that UNAIDS plays in coordinating the work of eight U.N. agencies and the Global ATM Fund, and in providing technical support to countries as funding to combat HIV/AIDS rapidly increases.

The managers urge USAID to implement programs that address the combination of the HIV/AIDS and hunger, including programs to enhance nutrition among HIV/AIDS-affected households and communities and that strengthen the ability of HIV/AIDS-affected individuals and households to meet current and future needs. Particular attention needs to be given to dealing with orphans and other vulnerable children and to promoting overall agriculture development and food production, including through school and hospital gardens as appropriate.

The managers are aware of the efforts of Voices for Humanity and the other organizations cited on page 9 of Senate Report 108–106 and page 15 of House Report 108–222 to convey HIV/AIDS awareness, prevention, treatment and medical training among nonliterate and oral communicating populations in developing countries. The managers expect that USAID and the Global AIDS Coordinator consider and, where feasible, fund pilot projects and other proposals submitted by such organizations.

The conference agreement does not include a Senate provision that funds shall be made available to the HIV/AIDS, Tuberculosis and Malaria Cluster of the World Health Organization (WHO). However, the managers recognize the central role WHO plays in fighting HIV/AIDS and other infectious diseases, and expect that funds will be made available to support this new initiative.

For health in West Africa, the conference agreement does not include section 699D of the Senate amendment providing $5,000,000 for the Carter Center's Guinea Worm Eradication Program. The managers note that the Carter Center recently released an action plan for guinea worm eradiction that target Ghana, Nigeria, and Sudan. The managers strongly support this program and expect that $5,000,000 will be a made available for this purpose. The managers also endorse the House report language on the West African Health Organization and on obstetric fistula and urge USAID to initiate programs in heavily effected areas, and to expand the programs of the International Medical Corps in Sierra Leone that address this problem.

The conference agreement allocates $375,500,000 for family planning/reproductive health within the Child Survival and Health Programs Fund, as proposed by the Senate, instead of $368,500,000 as proposed by the House.

The managers also direct USAID to continue to provide the Committees with a detailed annual report not later than March 31,

2004, on the programs, projects, and activities undertaken by the Child Survival and Health Programs Fund during fiscal year 2003.

Funds appropriated for the Child Survival and Health Programs Fund are appropriated for programs, projects and activities. Funds for administrative expenses to manage Fund activities are provided in a separate United States Agency for International Development Operating Expenses account, with three exceptions included in the conference agreement: authority for USAID's central and regional bureaus to use up to $250,000 from program funds for Operating Expense-funded personnel to better monitor and provide oversight of the Fund; in section 522, authority to use up to $13,500,000 to reimburse other government agencies and private institutions for professional services; and in section 525, authority to hire overseas personnel on a limited term basis.

Any proposed obligations for Global Development Alliance programs, projects or activities shall be subject to the regular notification procedures of the Committees on Appropriations, as shall any proposed transfers of Child Survival and Health Programs funds to any other agency, program, or account.

DEVELOPMENT ASSISTANCE

The conference agreement appropriates $1,385,000,000 for "Development Assistance" instead of $1,317,000,000 as proposed by the House and $1,423,000,000 as proposed by the Senate.

The managers have agreed to provide $235,000,000 for basic education, including adult literacy programs, under the development assistance account, instead of $250,000,000 as proposed by the House bill or $220,000,000 as proposed by the Senate amendment.

The conference agreement includes Senate language that provides $100,000,000 shall be made available for drinking water supply projects and related activities. The managers expect USAID to report no later than 90 days after enactment of this Act on funding and implementation of its water projects, including the number and location of wells drilled, and the cost per well.

The managers endorse language in Senate Report 108–106 regarding Water Conservation and, in particular, the recommendation for $1,500,000 for Water Missions International (WMI). The managers intend that this funding to WMI for hospitals in Honduras be in addition to water project funding previously planned for allocation in that country.

The managers are aware of the efforts of the Millennium Water Alliance to provide potable water to African communities that lack access to clean water, and recognize the importance of the Alliance's work. The managers recommend that, upon submission of suitable proposals to USAID, a significant part of the funds for potable water be provided to members of the Alliance to increase access to clean water and reduce rates of water-borne diseases and infant mortality in Africa.

The managers encourage USAID to allocate increased funding for agricultural development activities, and recommend that USAID allocate funding for these activities in sub-Saharan Africa more at the village level to include projects in small-scale irrigation, water and drainage, post-harvest storage, crop intensification,

crop and livestock diversification, and rural infrastructure, such as the Special Programme for Food Security of the U.N. Food and Agriculture Organization.

The managers continue to support the work of private voluntary organizations in the economic growth sector, especially the Financial Services Volunteer Corps and the International Executive Service Corps. The managers direct USAID to provide such organizations with sufficient core funding and fair opportunity to compete for relevant contracts and awards in the economic growth sector.

The conference agreement includes language, similar to a Senate provision, which provides that not less than $10,000,000 should be made available for programs and activities in rural Mexico to promote microfinance, small business development, private property ownership in rural communities, energy and environmental conservation, and to support small farmers who have been affected by adverse economic conditions, subject to the regular notification procedures of the Committees on Appropriations. The managers remain concerned with reports of corruption of the legal process in connection with a property dispute involving American citizens in Oaxaca and the University of the Americas, and the wrongful issuance of arrest warrants and imprisonment of these individuals. While the managers are aware that the criminal charges have been dismissed, the arrest warrants remain outstanding and the property dispute is unresolved. The managers intend to follow this matter until it is resolved satisfactorily.

The managers are greatly concerned by continued reports of violence against women in Ciudad Juárez and Chihuahua, Mexico. The managers consider this a bi-national issue, as U.S. citizens are among the victims and among those accused of committing these acts. The managers urge the State Department to work with the Mexican government to set up a DNA database, under international auspices, which would enable the positive identification of the victims by collecting DNA samples from the victims and from the families of the disappeared women.

The managers support projects in Central America that provide safe, nutritious, and affordable food to pre-school and school aged populations. The managers are aware of a nutritional drink that has achieved results in reducing malnutrition among Guatemalan pre-school children, and encourage USAID to determine the feasibility of establishing a long-term child nutrition program targeted toward reducing severe malnutrition rates among Central American children.

The managers endorse the House language on the Cooperative Association of States for Scholarships, which calls upon USAID to fully implement and fund its new agreement with the Association.

The managers endorse the House language on the Women in Development office urging that the office be funded at $11,000,000, and direct that USAID report no later than 90 days after the enactment of this Act on activities planned for the office and measures to increase staffing in order to expand its relevance to USAID-wide operations.

With respect to Afghanistan, section 523 includes language similar to a Senate proposal, providing that not less then

$2,000,000 should be made available for assistance for Afghans who suffer losses as a result of the military operations. The managers are aware that assistance for these victims has begun to be provided by USAID and the Department of Defense, in consultation with local Afghan communities, with funds previously appropriated. The managers believe that the capabilities of the Provincial Reconstruction Teams, which have access to remote, non-permissive areas, should be utilized. The managers intend these funds to be used for medical and rehabilitation assistance, shelter and other infrastructure, and other appropriate assistance from this account.

Although the conference agreement does not contain Economic Support Fund assistance for Pakistan, it does contain funding for education and health programs in the Development Assistance account and Child Survival and Health programs Fund. Given the enormous challenges that face Pakistan in the education and health sectors, the managers strongly urge the Administration to structure its proposed 5-year USAID package to address those needs. The managers expect not less than $2,000,000 should be made available for programs and activities of the Pakistan Human Development Fund and not less than $1,000,000 for Amanut Society. The Senate included funding for these organizations under the heading "Economic Support Fund", but no funds are made available for Pakistan under that heading in this Act as $200,000,000 was appropriated in Public Law 108–106.

The managers direct that, of the funds for agriculture and rural development programs $25,000,000 be provided for USAID's Collaborative Research Support Programs (CRSPs), of which $2,000,000 should be used to establish a CRSP that is focused on water security.

The managers support the language of the House report directing that USAID fund dairy development programs at not less than $15,000,000 for fiscal year 2004. Of this amount at least $7,500,000 should be made available for new projects at missions supplementing their existing rural development programs with a dairy component. The new programs should focus primarily on dairy development, rather than as a component of other cultural programs. The managers have included this directive in fiscal year 2004 in part because of USAID's failure to meet directives of previous years.

The conference report includes language similar to a Senate provision which provides $155,000,000 for programs which directly protect biodiversity, including forests. The managers endorse language under the heading "Environment Programs" on page 17 in Senate Report 108–106 on these issues, including the importance of developing a regional strategy for biodiversity conservation in the Amazon Basin, amounts of assistance for Brazil in fiscal year 2004, and support for the Amazon Conservation Team. The conference agreement does not include Senate language relating to the use of Child Survival and Health and Development Assistance funds for integrated population-health-environment programs. However, the managers expect Child Survival and Health funds to be used to fund child survival, health, and family planning activities of integrated population-health-environment programs, includ-

ing in areas where biodiversity and endangered species are threatened and Development Assistance funds should be used to fund environment, conservation, natural resource management, and sustainable agriculture activities in such integrated programs.

The managers support programs that conserve energy and promote efficient energy production and distribution in developing countries. The conference agreement provides in section 555 that $180,000,000 should be made available for these programs. The managers urge that energy technology program offices at USAID, the Export-Import Bank, the Overseas Private Investment Corporation, the Trade and Development Agency and other federal agencies involved in foreign assistance and export promotion activities that participate in the Clean Energy Technology Exports Initiative, contribute to this nine-agency effort.

The managers endorse language on page 15 of Senate Report 108–106 regarding, among other things, the importance of preserving the viability of leading micro-finance NGO networks so these organizations may increase the number of people they serve.

The managers direct that not less than $1,000,000 be made available for the United States Telecommunications Training Institute, a long-standing and successful program that provides communications and broadcasting training to professionals around the world. The Senate amendment included bill language mandating that such funds be made available for this purpose. The House bill did not address this matter.

The conference agreement provides that $19,000,000 should be made available for the American Schools and Hospitals Abroad program. The Senate amendment included bill language stating that $20,000,000 should be made available for this purpose.

The managers strongly support the fertilizer-related research and development being conducted by the International Fertilizer Development Center (IFDC) and urge USAID to make at least $4,000,000 available to IFDC, including not less than $2,300,000 for its core grant, as provided under the Senate amendment.

The conference agreement does not include language, as proposed by the Senate, providing up to $3,000,000 for the International Real Property Foundation. The managers direct USAID to provide funding to this organization.

The managers support the budget request for programs and activities conducted by USAID's Bureau of Democracy, Conflict and Humanitarian Assistance. The managers expect sufficient funding to be provided for democracy building activities that, if properly implemented, can serve as a bulwark against terrorism.

The managers endorse language in Senate Report 108–106 regarding Faith Based Organizations.

The managers note that a proposal by the University of South Dakota to develop international mental health programs was inadvertently omitted from the list of university proposals on pages 20 to 23 of the Senate report.

The managers continue to be supportive of efforts to form public-private partnerships, through the Global Development Alliance or other appropriate USAID mechanisms, to build and support schools and other educational institutions, which promote tolerant, secular educational curricula.

The conference agreement includes a general provision (section 586), similar to Senate language, which provides that not less than $35,000,000 in "Development Assistance" funds should be made available for Nicaragua, which is $4,000,000 above the amount requested. The managers commend President Bolanos for his efforts to combat the endemic corruption that has impeded Nicaragua's development. The managers recommend that these additional funds be used to assist subsistence farmers and to support judicial reform efforts.

The managers support the request for Development Assistance for Nepal, but are aware of the deteriorating climate for security and private investment. In particular, the Department of State is asked to continue to work with the Government of Nepal to promote broad-based economic development and to secure property rights for Nepalese and foreign-owned infrastructure, including private power generation facilities.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

The conference agreement appropriates $255,500,000 for "International Disaster and Famine Assistance", instead of $315,500,000 as proposed by the House and $235,500,000 as proposed by the Senate.

Of this amount, $20,000,000 is made available specifically for assistance for famine prevention and relief, instead of $80,000,000 as proposed by the House and $100,000,000 as proposed by the Senate under a separate heading, "Famine Fund". The conference agreement requires consultation with the Committees on Appropriations prior to the commitment or obligation of these funds.

The remaining $235,500,000 is appropriated to USAID for traditional international disaster relief, rehabilitation, and reconstruction assistance, especially to mitigate the impact of unforeseen natural disasters.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes authority for USAID to use funds made available by this Act for the cost of modifying loans guaranteed under this or prior Acts, as proposed by the Senate. The House bill did not address this matter. The conference agreement requires that the appropriate Committees be notified prior to the use of funds for loan restructuring.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Out of the $604,100,000 appropriated for Operating Expenses of the United States Agency for International Development, the conference agreement provided $25,000,000 to be available until September 30, 2005 instead of $30,000,000 as proposed by the House. In addition, contracts or agreements entered into with funds made available under this heading may entail commitments for the expenditure of such funds through September 30, 2005.

The managers have also included a new provision prohibiting the use of funds to open a new USAID overseas mission without prior written notification. In addition, several other provisions give the Agency greater flexibility in hiring personnel to meet expanding or unanticipated missions. The managers also support the intent of the language regarding USAIDLINK on page 30 of House Report 107–683, and expect that this activity will be carried out over the next two years.

The conference agreement includes language that would prohibit reducing the number of foreign service employees at each mission in Latin America expect as provided through notification to the Committees on Appropriations. The managers understand that the assistance and staffing levels for all Central American missions have been under pressure due to demands elsewhere in the world, but Guatemala, Honduras and Nicaragua are slated for substantial staffing reductions relative to other countries in this hemisphere. The managers do not believe that this strategy reflects the priorities of United States economic, trade, humanitarian and immigration policies with these countries. Guatemala specifically is struggling in a state of post-conflict polarization, and with the new January 2004 government, the managers strongly believe that reducing assistance and staffing would limit the ability of the United States to be responsive at this critical juncture in Guatemala's history.

CAPITAL INVESTMENT FUND

The conference agreement appropriates $82,200,000 for USAID's Capital Investment Fund, instead of $49,300,000 as proposed by the House or $100,000,000 as proposed by the Senate.

The conference agreement includes House language that authorizes the Administrator of USAID to assess fair and reasonable rental payments for the use of space by employees of other government agencies; provides that the rental payments shall be deposited into this account as offsetting collections; requires notification for the use of such offsetting collections, as well as for funds appropriated under this heading; and provides that the assignment of United States Government employees and contractors to space in buildings shall be subject to the concurrence of the Administrator of USAID.

The conference agreement includes $62,200,000 for new USAID buildings in Phnom Penh, Cambodia, Kampala, Uganda, and Conakry, Guinea or Bamako, Mali, as requested by the President. The managers note that in the past USAID has abruptly modified its prioritization of major overseas building projects and, therefore, request to be consulted immediately should this occur again. The managers strongly support the provisions of funds, when available, for a new USAID building in Yerevan, Armenia.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $2,132,500,000 for the Economic Support Fund instead of $2,240,500,000 as proposed by the House and $2,415,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in bill language, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

Economic Support Fund

[Budget authority in thousands of dollars]

	Conference agreement
Africa:	
Africa Regional	$12,000
Angola	3,500
Burundi	3,500
Democratic Republic of Congo	5,000
Ethiopia	5,000
Kenya	8,000
Nigeria	5,000
Regional Organizations	3,000
Safe Skies	5,000
Sierra Leone	5,000
South Africa	2,000
Sudan	10,000
Zimbabwe	3,000
Kimberley Process	1,500
NED democracy program	3,000
Subtotal—Africa	74,500
East Asia and the Pacific:	
ASEAN Regional	1,000
Burma	13,000
Cambodia	17,000
NED democracy programs	3,000
Tibet	4,000
East Timor	22,500
Indonesia	50,000
Mongolia	10,000
Philippines	17,750
Environmental Programs	1,750
Regional Women's Issues	2,000
South Pacific Fisheries	18,000
Subtotal—East Asia and Pacific	160,000
Europe:	
Cyprus	13,500
Irish Visa Program	3,500
Turkey	100,000
Subtotal—Europe	117,000
Near East:	
Egypt	575,000
Israel	480,000
Jordan	250,000
Lebanon	35,000
Middle East Partnership Initiative	90,000

	Conference agreement
Middle East Regional Cooperation	5,500
West Bank/Gaza	75,000
Yemen	11,500
NED Muslim democracy programs	3,500
Subtotal—Near East	1,525,500
South Asia:	
Afghanistan	75,000
Bangladesh	5,000
India	15,000
Nepal	5,000
South Asia Regional	2,000
Sri Lanka	12,000
Subtotal—South Asia	114,000
Western Hemisphere:	
Administration of Justice/ICITAP	5,000
Bolivia	8,000
Cuba	7,000
Dominican Republic	3,000
Ecuador	13,000
Guatemala	5,000
Mexico	11,500
Panama	3,000
Paraguay	3,000
Peru	8,000
Peru/Ecuador Peace	4,000
Third Border Initiative	4,000
Venezuela	500
Hemisphere Cooperation Program	10,000
Subtotal—Western Hemisphere	85,000
Global:	
Human Rights and Democracy Fund	34,500
OES Initiatives	4,000
Partnerships to Eliminate Sweatshops	2,000
Wheelchairs	5,000
Reconciliation Programs	8,000
Security and Sustainability Programs	3,000
Subtotal—Global	56,500
Total, ESF	2,132,500

The conference agreement provides $480,000,000 for Israel and language requiring disbursement of funds within 30 days of enactment of this Act. The conference agreement provides not less than $575,000,000 for Egypt as proposed by both the House and Senate, of which not less than $200,000,000 is for the Commodity Import Program assistance as proposed by the Senate.

The conference agreement also includes language that provides that not less than $250,000,000 should be made available for assistance for Jordan, as proposed by the House. The Senate language would have mandated this level of support.

The managers endorse the House report language regarding support for the International Arid Lands Consortium. The managers also direct that not less than $1,000,000 be made available from ESF funds or from "Development Assistance" for the Blaustein Institute for Desert Research to investigate the flow and transport of pollutants in groundwater.

The conference agreement provides that up to $1,000,000 of funds should be used to further legal reforms in the West Bank and Gaza, including judicial training on commercial disputes and ethics.

The conference agreement does not include funds for Pakistan under this heading. The Senate provided $200,000,000 for Pakistan, as requested by the President. The House included $67,000,000 for Pakistan, specifically for debt relief for Pakistan. The Senate did not address the matter of debt relief. Congress provided $200,000,000 in subsidy appropriations for Pakistan in P.L. 108–106, the Fiscal Year 2004 Emergency Supplemental for Defense and Reconstruction of Iraq and Afghanistan.

The conference agreement includes language similar to that proposed by the Senate providing that not less than $13,500,000 shall be available for assistance for Cyprus. The House bill provided that $12,000,000 should be made available, and the Senate bill provided $15,000,000 for Cyprus.

The conference agreement includes language similar to that in the Senate amendment that provides not less than $35,000,000 for assistance for Lebanon. In addition, funding provided in this account for the Central Government of Lebanon is subject to Congressional notification. The managers permit that $4,000,000 should be made available for American educational institutions in Lebanon from the bilateral assistance program.

The conference agreement does not include a Senate provision concerning the abduction of American children in Lebanon. However, the managers note that Lebanese officials have failed to enforce the custody and international pickup orders of Lebanon's civil courts despite repeated assurances. The managers condemn the Lebanese and Syrian authorities who have failed to uphold their laws and execute arrest warrants against parents who have abducted American children.

The conference agreement includes a general provision, similar to a Senate provision, which provides $8,000,000 for reconciliation programs and activities that bring together individuals of different ethnic, religious, and political backgrounds from areas of civil conflict and war. The managers note the bipartisan support for such activities that promote understanding and reconciliation particularly in the Middle East, and expect the State Department and USAID to establish an efficient and effective mechanism for evaluating and funding proposals for the use of these funds. The managers believe that the following organizations are among those deserving consideration and support: Seeds of Peace; the Jerusalem International YMCA, the Arava Institute for Environmental Studies, the International Crisis Group, the Middle East Children's Association, Partners for Democratic Change, and Interns for Peace.

The conference agreement provides $22,500,000 in "Economic Support Fund" assistance for East Timor (Timor-Leste) instead of $25,000,000 as proposed by the Senate and $13,500,000 (and $4,000,000 in Development Assistance) as proposed in the House. The managers recommend that funds be made available to, among other things, enhance economic programs to revitalize and for educational and vocational training especially for unemployed youth, promote good governance, meet basic human needs, and improve

physical infrastructure. The conference agreement provides that of the funds for East Timor, $1,000,000 may be available for administrative expenses of the United States Agency for International Development.

The managers have included language, similar to the Senate bill, which provides $1,500,000 for technical assistance to implement the Kimberley Process Certification Scheme. The managers endorse the Senate report language on this issue and urge the Administration to request funds for this purpose in fiscal year 2005.

The managers have included a provision, similar to Senate language, regarding programs to develop justice and reconciliation mechanisms in Central Africa and expect the Administration to provide the amount of funding requested for these programs. The managers are concerned about human rights abuses in Central Africa, including rape committed on a massive scale in the eastern region of the Democratic Republic of the Congo. The managers urge the Administration to initiate programs aimed at ending the impunity that prevails in the region, preventing future abuses, and providing medical and counseling services to victims.

The conference agreement includes language in section 558 similar to a Senate provision which earmarks not less than $4,000,000 in "Economic Support Fund" assistance for Tibet through nongovernmental organizations located outside the People's Republic of China to support activities that preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in Tibetan communities in China. The managers are aware that the migration of Han Chinese into these areas threatens the survival of Tibetan culture and that nongovernmental organizations are involved in small scale projects to empower Tibetan communities and preserve Tibetan culture, and address basic human needs. The managers support the unique role of The Bridge Fund, and expect not less than $1,700,000 to be provided for the Bridge Fund in fiscal year 2003 funds, and not less than $2,000,000 to be provided for The Bridge Fund in fiscal year 2004 funds. The managers intend that the balance of the funds will be made available on a fully competitive basis to organizations with a history of working with Tibetan communities.

The managers endorse language similar to that contained in the House report, that recommends $250,000 be made available through a nongovernmental organization, such as the National Endowment for Democracy, for the purpose of providing training and education of Tibetans in democracy activities, and monitoring the human rights situation in Tibet. The managers intend these funds to be made available through section 526(d) of this Act.

The conference agreement does not include a Senate provision earmarking $250,000 for the Commission to Investigate Illegal Groups and Clandestine Security Apparatus in Guatemala. However, the managers strongly support this effort to investigate those responsible for the political violence and organized criminal activity that continues to hamper Guatemala's development, and recommend that at least $250,000 be provided to the Commission in fiscal year 2004.

The managers are concerned with reports that the Government of Ecuador has failed to adequately safeguard foreign investments in that country. The managers direct the Secretary of State to report to the Committees on the extent of United States investments in Ecuador, and an analysis of the political, legal and economic challenges posed to such investments. The managers request the report to include recommendations for addressing and resolving these challenges.

The conference agreement provides that Economic Support Fund resources shall be made available for administrative costs of the United States Agency for International Development to implement regional programs in Asia and the Near East, including the Middle East Partnership Initiative, in addition to amounts otherwise available for such purposes.

The conference agreement provides that funds appropriated under the Economic Support Fund for a Middle East Financing Facility, Middle East Enterprise Fund, or any other similar entity in the Middle East shall be subject to the regular notification procedures of the Committees on Appropriations.

The conference agreement provides that not less than $1,750,000 should be made available for East Asia and Pacific Environment Initiatives. The Senate bill provided $3,500,000 for this program and the House bill did not address this issue. The conferees have included $18,000,000 for the Treaty on Fisheries between the United States and the governments of certain Pacific Island states, popularly known as the South Pacific Regional Fisheries Treaty. The conferees endorse the discussion of this issue in the House report.

The managers provide $3,000,000 for the Foundation for Security and Sustainability.

Of the $4,000,000 included in the conference agreement for the initiatives of the State Department Bureau of Oceans and International Environmental and Scientific Affairs, $2,000,000 is for supporting a bilateral science and technology agreement with Pakistan for which Development Assistance funds were denied in fiscal year 2003.

The conference agreement provides language not in either the House or the Senate bill that allows transfers to the Economic Support Fund from funds appropriated in P.L. 108–106 for the Iraq Relief and Reconstruction Fund. The conferees have included language that allows up to $100,000,000 for transfer to support programs for Turkey, and $30,000,000 for transfer to support the Middle East Partnership Initiative.

INTERNATIONAL FUND FOR IRELAND

The conference agreement appropriates $18,500,000 instead of $19,600,000 as proposed by the House. The Senate did not address this matter.

The conferees encourage the International Fund for Ireland to continue progress for direct reconciliation assistance and programs, particularly in helping to develop a fully supported, accountable and modern police service that serves all communities.

GLOBAL HIV/AIDS INITIATIVE

The conference report includes $491,000,000 for the Global HIV/AIDS Initiative instead of $989,000,000 as proposed by the Senate or $450,000,000 as contained in the budget request. The House addressed this matter within the Child Survival and Health Programs fund and did not include funding for initiatives in a limited number of focus countries in a separate appropriations account.

The managers welcome the creation at the State Department of the Office of the Global AIDS Coordinator, and anticipate that the powers and responsibilities delegated to the Coordinator by this Act and Public Law 108–25 will enable the Coordinator to finally coalesce the HIV/AIDS programs run by disparate agencies into an effective, coordinated approach. The managers have not included language included by the Senate that would have allowed the Coordinator authority to reach into other appropriations accounts and transfer funds into this account. The transfer authorities in section 509 of the conference agreement enable the Coordinator to fulfill his mandate. Any reprogramming or transfers of funds into or out of the Global HIV/AIDS Initiative account is subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act.

The conference report does not include language contained in the House bill limiting the value of grants and contracts that may be let directly from the Coordinator's office at $50,000,000. The Coordinator has informed the Committees that his office will rely primarily upon the procurement and contracting capacity existent in United States agencies. The managers expect the Coordinator to consult with the Committees on Appropriations prior to exercising his contracting and grant-making authority to directly implement overseas programs.

The managers have included $8,000,000, as proposed by the Senate, for the administrative expenses of the Office of the Global AIDS Coordinator. The managers request the Global AIDS Coordinator, not later than 90 days following enactment of this Act, to submit to the Committees on Appropriations a report which details by object class the proposed uses of the Office's administrative expense allowance.

The conference agreement includes language, similar to Senate provisions, which provides up to $75,000,000 should be provided for the safe and appropriate use of injections and other forms of infection control and prevention, and for blood safety programs. With respect to the safe and appropriate use of injections and other forms of infection control and prevention, the managers intend these funds to be used for programs and activities including national assessments and planning; the provision of syringes with the re-use prevention and safety feature(s) that will effectively reduce exposure to contaminated syringes and needles, and safety disposal boxes; gloves, masks, and other supplies required to implement universal precautions; logistical support to ensure a reliable supply of and proper use of these items; public education on the safe and appropriate use of injections; training of health providers; post ex-

posure prophylaxis programs for health and laboratory workers; and waste management.

With respect to blood safety programs, the managers intend these funds to be used for programs and activities including the establishment and support of national blood services; formulation/reform of national transfusion protocols to reduce the number of low priority transfusions; the provision of rapid HIV test kits; screening for other transfusion-transmitted infections; staff training, including in the appropriate clinical use of blood; the recruitment of voluntary, non-remunerated blood donors; and quality assurance programs.

The managers note that the United States Global Leadership Against HIV/AIDS, TB and Malaria Act of 2003 (P.L. 108–25) provides that in fiscal year 2004 it is the "sense of Congress" that 55 percent of all global HIV/AIDS funds should go for treatment, 20 percent for prevention, of which no less than 33 percent be reserved for "abstinence until marriage" programs, 15 percent for palliative care, and 10 percent for orphans and vulnerable children.

The managers continue to request a satisfactory explanation of how the Administration selected its Global HIV/AIDS Initiative focus countries, including selection criteria that takes into account the need to preemptively stem the tide of the disease in other parts of the world at high risk of developing full-blown pandemics. The conference agreement includes language urging the Global AIDS Coordinator to select one additional focus country not in Africa or the Caribbean region. The managers understand that the Global AIDS Coordinator will consult with the Committees as he selects this fifteenth country, and will keep them informed on the selection criteria as they are developed.

The leading indicator of success for the Global AIDS Initiative is treating 2 million people living with HIV/AIDS, preventing 7 million new infections, and providing care and support to 10 million of those infected and otherwise affected by the disease. One of the responsibilities of the Global AIDS Coordinator is to determine the proper allocation categories for programs and projects under his oversight in order to meet these objectives, but categorization may be difficult for some activities. The costs of mother and child transmission programs, for instance, are substantial. If these costs are included within the 20 percent target for prevention programs, funding for crucial behavioral change prevention programs may well be crowded out. The costs of mother and child transmission might also be considered part of the 55 percent target for treatment programs, since breaking the cycle of mother-to-child transmission often relies on the use of drug treatments.

The managers support the goals for HIV/AIDS antiretroviral treatment established through section 402 of Public Law 108–25, including that by the end of fiscal year 2004 at least 500,000 individuals with HIV/AIDS will be receiving antiretroviral treatment through United States assistance programs. The managers encourage the Global AIDS Coordinator to solicit and fund proposals for the delivery of antiretroviral treatment in targeted countries in an expeditious manner.

The managers recognize that United States funding in the fight against HIV/AIDS, tuberculosis, and malaria will not, in

itself, roll back these pandemics. Sustaining the advances made by the Global HIV/AIDS Initiative and other programs will be a growing challenge as more people begin drug therapy. The managers encourage the Global AIDS Coordinator to consider pilot programs and innovative approaches, including public-private partnerships and faith based organizations, aimed at increasing sustainability and access to high-quality, affordable drugs while respecting intellectual property rights.

The managers request the Global AIDS Coordinator to submit a report to the Committees on Appropriations, the Senate Committee on Foreign Relations, and the House Committee on International Relations not later than 60 days after enactment describing (1) the estimated proportion of all global HIV/AIDS funding in fiscal year 2004 that will be spent on prevention activities, and the estimated amount in dollars; (2) the amount estimated to be spent on "abstinence until marriage" programs in fiscal year 2004; and (3) a description of the criteria for determining which programs are included under treatment; prevention, with the criteria for "abstinence until marriage" programs specifically outlined; palliative care; and orphans and vulnerable children.

The managers also request the Global AIDS Coordinator to submit brief reports to the Committees on Appropriations, the House Committee on International Relations, and the Senate Committee on Foreign Relations not later than 90 days following the enactment of this Act and updated every 90 days thereafter, describing the obligation and transfers between accounts during the previous quarter of all funds overseen by the Global AIDS Coordinator. The managers note the reports mandated by P.L. 108–25, and direct the Global AIDS Coordinator to also submit these reports to the Committees on Appropriations.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

The conference agreement appropriates $445,000,000 as proposed by the Senate, instead of $452,000,000 as proposed by the House.

Funds in this account are allocated in the following table and, as stipulated in bill language any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

Assistance for Eastern Europe and the Baltic States

[Budget authority in thousands of dollars]

	Conference agreement
Albania	$28,000
Bosnia-Herzegovina	45,000
Bulgaria	28,000
Croatia	25,000
Kosovo	79,000
Macedonia	39,000
Romania	28,000
Serbia	100,000
Montenegro	35,000
Regional Programs	38,000
Total AEEB	445,000

The conference agreement contains language that provides that $2,000,000 should be made available to enhance safety at nuclear power plants. It is intended that this nuclear safety program will include the provision of full scope simulators.

The managers have provided $35,000,000 for assistance programs in Montenegro as recommended in the House report. The conference agreement includes language providing that not less than $12,000,000 of this amount shall be for economic development and environmental programs in Montenegro's coastal region. This language was not included in either the House or Senate bills, but is similar to direction contained in the House report.

The conference agreement includes Senate language providing not less than $1,000,000 should be made available for a program to promote greater understanding and interaction among youth in Albania, Kosovo, Montenegro, and Macedonia under this heading, and not "Economic Support Fund, as proposed by the Senate. This program also was discussed in the House report under the Assistance for Eastern Europe and Baltic States account. The managers expect the National Albanian American Council to conduct this program.

The managers strongly recommend that the Russian, Eurasian, and East European Research and Training Program (Title VIII) be funded at the 2003 level. The managers endorse the House report language on the East Central European Scholarship Program (ECESP) and recognize the Administration's continued support for the program. The managers further recognize that expansion of this program into Central Asia would benefit the people of this region.

The conference agreement includes not less than $53,500,000 for HIV/AIDS, tuberculosis, and malaria from this heading, Assistance for the Independent States of the Former Soviet Union, Economic Support Fund, and Foreign Military Financing, instead of $50,000,000 from these accounts, (except Foreign Military Financing) as contained in the Senate amendment. The managers are increasingly concerned about the increase of HIV/AIDS and tuberculosis, especially multi-drug resistant tuberculosis, in Eastern Europe, central Asia, and Russia.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

The conference agreement appropriates $587,000,000, instead of $576,000,000 as proposed by the House and $596,000,000 as proposed by the Senate.

The conference agreement includes not less than $57,000,000 for child survival, environmental and other health activities, and programs to reduce the incidence of HIV/AIDS, tuberculosis, and other infectious diseases, including not less than $15,000,000 for reproductive health/family planning.

The managers reiterate language in the Statement of the Managers from prior years with regard to other limitations on assistance, "that assistance to combat infectious diseases, . . . support for regional and municipal governments, and partnerships between United States hospitals, universities, judicial training institutions

and environmental organizations and counterparts in Russia should not be affected by this section."

The conference agreement provides not less than $19,000,000 should be made available for nuclear reactor safety initiatives in Ukraine. The managers expect that of this amount, $14,000,000 shall be provided for simulator-related projects. The conference agreement also includes language similar to that proposed by the Senate providing not less than $1,500,000 for coal mine safety programs.

The conference agreement provides that $94,000,000 shall be made available for assistance for Russia, including $4,000,000, as proposed by the Senate, to promote freedom of the media and independent media in that country. This amount is $21,000,000 above the budget request.

The managers remain gravely concerned with the deterioration and systematic dismantling of democracy and the rule of law in the Russian Federation. The managers condemn the Russian Government's crackdown on the media and political opposition groups and individuals, and call upon senior Russian officials to immediately cease the harassment of American citizens involved in foreign assistance programs in Russia by that country's security services.

The managers expect the State Department to proactively and publicly engage the Russian Government to immediately terminate forced returns of displaced Chechens to Chechnya, provide additional assistance to those Chechens impacted by Russian efforts to force or coerce returns, and secure accountability for gross human rights violations committed by Russian forces against Chechen civilians. The managers request the State Department to consult with the Committees on this matter.

The managers expect a significant portion of these funds to be used to support democracy and rule of law programs in Russia.

The managers support the Russian American Judicial Partnership, the Russian American Rule of Law Consortium, and the American Bar Association's Central and East European Law Initiative, which are involved in activities to strengthen the rule of law and protect civil liberties, which are essential to democratic and economic development in Russia. The mangers also support efforts, such as those of the Institute for Sustainable Communities, to mitigate the effects of environmental pollution on human health in the Central Asian region.

The conference agreement includes language providing not less than $17,500,000 for the Russian Far East, instead of $20,000,000 as proposed by the Senate. The managers endorse language in Senate Report 108–106 regarding the Russian Far East.

The managers endorse Senate Report 108–106 language regarding orphans, and strongly support the work of Kidsave International and other organizations working in the Former Soviet Union.

The conference agreement provides $75,000,000 under the heading Assistance for the Independent States of the Former Soviet Union for assistance for Armenia, as proposed by the Senate. This amount is $25,500,000 above the budget request. The managers direct that $2,500,000 in Foreign Military Financing and not less than $900,000 in International Military Education and Training

funds be provided to Armenia, as contained in the budget request. The managers support Senate report language on the use of military assistance to enhance communication capabilities.

The managers support the provision of assistance to the American University of Armenia (AUA), and recognize the important contribution of AUA to the development of Armenia's future leaders.

The managers endorse House report language regarding proposals to establish and develop in Armenia a central diagnostic laboratory for the Caucasus region to address health and food safety.

The managers continue to follow political developments in the region, particularly efforts to secure a peaceful resolution to the Nagorno-Karabakh conflict. The managers endorse confidence-building measures among all parties to the conflict.

The managers have not included a specific amount for Georgia in the conference agreement, but continue to closely follow political developments in Georgia. The managers are troubled by recent events, including political turmoil following flawed elections earlier this month. The managers condemn all acts of violence and intimidation against the opposition and encourage all parties to engage in dialogue to resolve the current political crisis.

The managers note that corruption and the absence of political will to implement much needed reforms hinder the political, economic, and legal development of Georgia. The managers expect the State Department to continue to press the Government of Georgia to be far more transparent and accountable.

The managers appreciate the threats to Georgia and the region from terrorists in the Pankisi Gorge, and encourage the State Department to continue to fund those programs and activities that further the national security interests of both the United States and Georgia.

The managers expect to be consulted by the Department of State prior to any obligation of funds, should that country's political situation continue to deteriorate and funding priorities change.

The conference agreement does not include Senate language expressing concern with the flawed October presidential elections in Azerbaijan but retains language in section 592 requiring the Secretary of State to report to Congress on the ongoing investigation into the murder of United States democracy worker John Alvis.

The managers condemn the manipulation of the electoral process by Azeri officials and deplore the post-election crackdown on demonstrators that killed at least one individual and injured more than 300. The managers note that Azerbaijan has yet to hold national polls that meet internationally recognized standards of free and fair elections.

The managers expect the State Department, the Federal Bureau of Investigation and the Azeri Government to reinvigorate efforts to investigate and prosecute those responsible for the murder of John Alvis in December, 2000.

The managers are concerned with reports that the Government of Moldova has failed to adequately safeguard foreign investments in that country. The managers request the Secretary of State to report to the Committees not later than 180 days after enactment of

this Act on the extent and status of United States direct foreign investment in Moldova, and an analysis of the political, legal and economic challenges to such investments, particularly with regard to a cognac factory.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

The conference agreement appropriates $16,334,000 as proposed by the Senate, instead of $15,185,000 as proposed by the House.

AFRICAN DEVELOPMENT FOUNDATION

The conference agreement appropriates $18,689,000 as proposed by the Senate, instead of $17,689,000 as proposed by the House.

PEACE CORPS

The conference agreement provides $310,000,000 as proposed by the Senate instead of $314,000,000 as proposed by the House. Under the heading Global HIV/AIDS Initiative, the conference agreement provides a permissive transfer of $15,000,000 to the Peace Corps for HIV/AIDS activities, instead of $20,000,000 as proposed by the Senate. The House did not address this matter.

The managers have included House language permanently waiving the so-called "five-year rule" of employment in the case of employees whose appointment involves the safety of Peace Corps volunteers, such as regional safety security officers and employees within the Office of Inspector General.

The managers continue to support expansion of the Peace Corps, however, the managers are concerned about recent attacks on volunteers, especially on female volunteers. The managers recommend that the Peace Corps continue consulting with the Committees on Appropriations to examine the current security issues to ensure that increasing the number of volunteers occurs simultaneously with better security and emergency procedures.

MILLENNIUM CHALLENGE CORPORATION

The conference agreement includes $650,000,000 for the Millennium Challenge Corporation (MCC) instead of $800,000,000 as proposed by the House and 1,000,000,000 as proposed by the Senate.

The managers strongly support this initiative and provide the maximum level of funding possible to the MCC within the constraints of the budget allocation, which is $1,653,729,000 below the President's request.

The managers believe that additional assistance is critical to support development on a global basis. Title VI, the Millennium Challenge Act of 2003 is included to provide such assistance in a manner that promotes economic growth and the elimination of extreme poverty and strengthens good governance, economic freedom, and investments in people.

The managers reserve the right to amend this language in the fiscal year 2005 Act.

The managers appreciate the input and efforts of the House International Relations Committee and the Senate Foreign Relations Committee in drafting the authorizing language contained in this Act.

The managers note that funding provided for the MCC in title II is subject to section 515, "Notification Requirements". The managers direct the Corporation to consult within 30 days on the modalities for implementing section 515 in a manner acceptable to the Committees on Appropriations.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement appropriates $241,700,000 for International Narcotics Control and Law Enforcement as proposed by the House, instead of $284,550,000 as proposed by the Senate. The managers note that the conference report does not include funding for Afghanistan since $50,000,000 was provided above the request in P.L. 108–106 for Afghanistan.

The managers note that the following amounts were provided specifically for counternarcotics and law enforcement in Afghanistan: $243,000,000 in the 2004 emergency supplemental (includes $73,000,000 for the Department of Defense); $25,000,000 in the 2003 emergency supplemental; and $80,000,000 in the 2002 emergency supplemental. Even given these significant levels of funding, the United Nations reports that Afghan farmers are replanting poppy at greater rates each year since the fall of the Taliban. The managers strongly support the United States participation in attacking the Afghan drug problem, which generates funds for terrorists and extremists not only in Afghanistan but also throughout the region. Concurrently, the managers are concerned that while 90 percent of the heroin exported from Afghanistan is destined for Europe, the majority of funds to counter this crop are from the United States. Therefore, the managers direct the Department of State to provide a report to the Committees on Appropriations not later than 45 days after enactment of this Act that outlines the objectives of this program, including participation by the Department of Defense; a detailed analysis of the purposes for which fiscal year 2004 appropriated funds are to be used and a detailed accounting of how fiscal year 2002 and 2003 appropriated funds have been used; and the levels of actual or estimated funding over the 2001–2004 period by other donors listed by amount and by country.

The conference agreement provides that $12,000,000 should be made available for anti-trafficking in persons programs. The Senate amendment provided $20,000,000 for this purpose, and the House did not address this matter.

The conference agreement provides that $7,105,000 should be made available for the International Law Enforcement Academy in Roswell, New Mexico, of which $2,105,000 should be made available for the construction and completion of a new facility. The managers note this one-time language is intended to fully resolve this outstanding matter. The House did not address this matter.

The conference report does not include Senate language that provides $5,000,000 to combat piracy of United States intellectual property. However, the managers support this initiative and expect the State Department to provide $2,500,000 for this purpose. The State Department, in close consultation with the United States Trade Representative, the Department of Commerce, and the Committees on Appropriations, should formulate a detailed strategy for the use of these funds before they are obligated. The managers also urge the State Department to utilize the expertise of other agencies of the federal government when implementing these programs.

The conference agreement makes available $26,117,000 for administrative expenses instead of $24,180,000 as proposed by the House and $25,117,000 as proposed by the Senate. The managers have provided $1,000,000 in additional administrative expenses to allow and encourage the Department of State to provide office space to the Bureau of International Narcotics Control and Law Enforcement in the Harry S. Truman Building (Main State) to bring together all of the Bureau's program offices.

ANDEAN COUNTERDRUG INITIATIVE

The conference agreement appropriates $ 731,000,000 for the Andean Counterdrug Initiative as proposed by the House instead of $660,000,000 as proposed by the Senate. The managers emphasize that there are other funds for Andean nations in this Act.

The conference agreement provides that not less than $257,000,000 shall be made available for alternative development and institution building activities by USAID, the Department of Justice, and the Department of State and that $229,500,000 shall be directly apportioned to USAID. The managers note that funds for the Bureau of Population, Refugee, and Migration are included in the $257,000,000 earmark and expect the entire amount requested be provided for programs to assist refugees and displaced persons.

Again in fiscal year 2004, the managers have extended the availability of funds provided for assistance for Colombia to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations, and to take actions to protect health and human welfare. This provision is identical to that in the House bill and Senate amendment. The managers are supportive of the Colombian Government in its attempts to provide security for the Colombian people and have continued these expanded authorities in recognition that the narcotics industry is linked to the terrorist groups, including the paramilitary organizations, in Colombia. The managers expect counternarcotics, alternative development, and judicial reform to remain the principal focus of United States policy in Colombia. The managers reiterate that the expanded authority is not a signal from the managers for the United States to become more deeply involved in assisting the Colombian Armed Forces in fighting the terrorist groups, especially not at the expense of the counternarcotics programs, but to provide the means for more effective intelligence gathering and fusion, and to provide the flexibility to the Department of State when the distinction between counternarcotics and counterterrorism are not clear cut.

The conference report does not include certain earmarks for organizations and programs that protect human rights in Colombia, as proposed by the Senate. However, the conference agreement provides that not less than $13,000,000 should be made available for such organizations and programs. The managers intend these funds to be allocated as follows: not less than $2,500,000 for protecting human rights defenders in Colombia; not less than $2,500,000 for the United Nations Office of the High Commissioner for Human Rights in Colombia; not less than $6,500,000 for the Colombian Attorney General's Human Rights Unit; and not less than $1,500,000 for the human rights unit of the Colombian Procuraduria.

The managers remain concerned about the annual cost to the United States of operating and maintaining the fleet of helicopters used by the Colombian military for counternarcotics and counterterrorism purposes. While these helicopters are a key tool in the fight against coca and poppy, the managers believe the Department of State should begin to turn over the maintenance costs to the Colombian government. In fiscal year 2004, over one-quarter of all assistance to Colombia is devoted to these costs, and the managers believe that other important programs in Colombia need to be prioritized through the allocation of United States assistance. Therefore, the managers expect to see the start of this transition reflected in the fiscal year 2005 budget request, and if it is not, the managers expect this matter to be addressed in the fiscal year 2005 appropriations process.

The conference agreement continues current caps on the number of United States military personnel and United States civilian contractors in Colombia, as well as the current prohibition on participation by such persons in combat operations in connection with assistance made available by this Act.

The conference agreement again includes existing conditions on the aerial spraying of herbicide, similar to the Senate amendment, to ensure that any use of such chemicals is consistent with the Colombian Environmental Management Plan, with Environmental Protection Agency regulations, and to ensure that chemicals used in the aerial fumigation of coca do not pose unreasonable health or safety risks to humans or the environment. Additionally, not more than 20 percent of funds made available for the purchase of chemicals used in aerial spraying are available for obligation until the Secretary of State, in consultation with the Administrator of the Environmental Protection Agency, certifies to the Committees on Appropriations that a number of conditions and concerns regarding the safety of spraying are addressed. This is similar to current law and the Senate amendment. The House did not address this matter.

The conference agreement does not include a Senate prohibition on aerial fumigation in Colombia's national parks. The managers are concerned with reports that coca growers are moving into Colombia's national parks and reserves, cutting trees and causing other environmental damage. The managers support efforts to address this problem, but agree that aerial fumigation in the parks and reserves should be used as a last resort. Other alternatives should be pursued, including manual eradication, training and

equipping police to protect the parks, and relocating families that have moved into these areas. Accordingly, the conference agreement includes language that before aerial fumigation is conducted, the Secretary of State must determine that it is in accordance with Colombian law and that there are no practicable alternatives to reduce drug cultivation in these areas. The managers request to be consulted prior to any such determination.

The conference agreement provides that not less than $2,500,000 should be made available for continued assistance for the Colombian National Park Service. This language is identical to the provision in the Senate amendment. The House did not address this matter.

The managers endorse the House report language on the Naval Postgraduate School and United States contractors in Colombia.

The conference agreement includes the House language prohibiting funds for the resumption of flights in support of a Peruvian air interdiction program until a system of enhanced safeguards are in place. The Senate did not address this matter.

The conference agreement includes language similar to a Senate provision, which provides that assistance should be made available to the Bolivian military and police subject to a determination and report by the Secretary of State that the Bolivian military and police are respecting human rights and cooperating with investigations and prosecutions of alleged violations of human rights. The managers note that despite repeated assurances by successive Bolivian governments that human rights cases would be properly investigated and the individuals responsible appropriately punished, little has been done and impunity remains the norm for members of Bolivian security forces who commit violations. The managers urge the Secretary to give higher priority to these justice issues.

The conference report includes changes to two reports for Plan Colombia from the fiscal year 2000 emergency supplemental. This issue is addressed in the general provisions.

The conference agreement makes available $16,285,000 for administrative expenses of the Department of State as proposed by the Senate instead of $15,680,000 as proposed by the House.

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement makes available $21,000,000, for administrative expenses as proposed by the Senate instead of $18,500,000 as proposed by the House. The managers expect the additional administrative funds to be used for refugee admissions and emergency situations.

The conference agreement also includes Senate language providing not less than $50,000,000 for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel. The House addressed this matter in its report.

The conference agreement does not include Senate language providing that funds be made available for international organizations for assistance for refugees from North Korea. The managers strongly support the provision of funds for such purposes, and expect the State Department to provide sufficient assistance to safeguard the human rights and dignity of North Korean refugees.

The conference agreement does not include Senate language providing that funds should be made available for assistance for persons in Thailand from Burma. The managers remain deeply concerned with the plight of these individuals and are troubled by reports that Thai authorities are harassing Burmese in Thailand and hindering the provision of assistance to such needy persons. The managers address this issue in the general provisions of this Act.

The conference agreement does not include Senate language that limits assistance to the central Government of Nepal until the Secretary of State certifies that the Nepalese authorities are cooperating with the United Nations High Commissioner for Refugees and other international organizations on issues concerning the protection of refugees from Tibet. The managers endorse language in Senate Report 108–106 on this issue, and expect the Government of Nepal to cease this deplorable behavior and to cooperate fully with international organizations to ensure the safety of Tibetan refugees. If the Government of Nepal continues to forcibly repatriate Tibetan refugees, the managers will consider an appropriate response.

The managers note that recent GAO findings show the State Department has taken actions to implement Section 301(c) of the Foreign Assistance Act to improve monitoring of the United Nations Relief and Works Agency (UNRWA) by requiring that they take all possible measures to assure that U.S. funds do not benefit terrorists and those receiving military training from guerilla groups. However, UNRWA's implementation of these procedures is constrained by many factors including safety of its staff and legitimate and necessary Israeli securtiy procedures.

The managers urge UNRWA to implement the State Department's recommendations to:

Issue explicit guidelines to staff to report compromises of UNRWA staff or facilities;

Sever connections with Gaza Youth Activity Centers because of ties to Palestinian radicals

Make the Operations Support Officer program a permanent part of UNRWA's monitoring program by including it in the regular budget, and

Continue to make all efforts to meet Israeli authorities.

The managers strongly urge the State Department to provide necessary funding to enable UNRWA to make the Operations Support Officer Program permanent.

The managers direct the Secretary of State to submit a report to the Committees on Appropriations by no later than June 20, 2004 describing steps taken to ensure the implementation of these recommendations.

Language included in the House bill regarding organizations adopting the Sexual Exploitation and Abuse Code of Conduct is addressed in section 594. The Senate addressed this matter in the general provisions.

UNITED STATES EMERGENCY MIGRATION AND REFUGEE ASSISTANCE FUND

The conference agreement appropriates $30,000,000 for the United States Emergency Migration and Refugee Assistance Fund (ERMA), instead of $15,831,000 as proposed by the House and $40,000,000 as proposed by the Senate.

The conference agreement includes language from the Senate amendment that provides the funds notwithstanding section 2(c)(2) of the Migration and Refugee Assistance Act of 1962. Section 2(c)(2) would limit appropriated funds to this fund if, when added, would cause the balance of the fund to exceed $100,000,000.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The conference agreement appropriates $353,500,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs, instead of $385,200,000 as proposed by the Senate and $335,200,000 as proposed by the House.

Funds in this account are allocated in the following table and, as stipulated in bill language any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

NonProliferation, Anti-Terrorism, Demining and Related Programs

[Budget authority in thousands of dollars]

	Conference Agreement
Nonproliferation and Disarmament Fund	$30,000
Export Control and Border Security assistance	36,000
Science Centers	50,500
International Atomic Energy Agency—Voluntary Contribution	53,000
CTBT/International Monitoring System	19,000
Anti-terrorism Assistance	97,000
Terrorist Interdiction Program	5,000
Humanitarian Demining	50,000
International Trust Fund for Demining	10,000
Small Arms/Light Weapons Destruction	3,000
NADR Total	353,500

The conference agreement contains language similar to that included in the Senate amendment that authorizes not to exceed $250,000 for the support of public-private partnerships for mine action by grant, cooperative agreement, or contract. The managers direct that the State Department provide a financial plan for the use of these funds to the Committees on Appropriations prior to the use of this authority. The House bill did not address this matter.

The managers endorse the Senate report language regarding demining and the House and Senate report language regarding the Anti-terrorism Assistance program. With respect to Anti-terrorism Assistance, the managers note that an additional $10,400,000 was provided for this program in the Emergency Supplemental Appropriations Act for Defense and the Reconstruction of Iraq and Afghanistan (P.L. 108–106). The conferees strongly support the anti-terrorism program and the conference level of $97,000,000 represents an increase of 48 percent above the level provided in fiscal year 2003.

The managers recognize the central role of financing in the operation of terrorist organizations such as Al Qaeda and commend the Administration for initial actions taken in the wake of the terrorist attacks on September 11, 2001 to block the flow of money to these organizations. Given the wide range of formal and informal financial mechanisms to secure funding and to move it around the globe, the managers acknowledge the need for an increasingly forceful approach to this problem.

The managers note the importance of an interagency effort by the Terrorist Financial Working Group to curb the funding to terrorist organizations such as Al Qaeda. The effort by the Departments of State, Treasury, and Justice, working with other agencies, is a key element in the fight against international terrorism.

The managers direct the Department of State, in consultation with the Department of the Treasury, to provide a report on the spending of funds provided for counter-terrorist financing in fiscal years 2001, 2002, and 2003, and a list of planned spending in 2004. In addition, the report shall contain a list of countries the Administration considers to be the major source and/or transit points for terror financing, a list of the interagency priority countries with which federal agencies are currently working and the activities taking place in those countries, and a list of other countries the interagency working group has identified as needing such assistance in the future and the types of activities that will be required in those countries. The report shall be provided no later than 120 days after enactment of this Act and the list of countries may be classified if the Secretary of State determines that this is necessary.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement provides $19,000,000 for the International Affairs Technical Assistance program of the Department of the Treasury as proposed by the House instead of $12,000,000 as proposed by the Senate.

The managers support the efforts of the Department of the Treasury, International Affairs Technical Assistance, to assist nations in their efforts to reduce financial crimes and corruption by strengthening those governmental systems. The Department of the Treasury has been providing technical assistance for over a decade to nations facing economic disruption due to systemic weaknesses, post conflict crises, terrorist influences, or criminal practices. The managers urge the Department of the Treasury to continue its current technical assistance program and to strengthen its law enforcement program with additional resident and intermittent advisors. The managers further direct the Department of the Treasury to manage its technical assistance program in accordance with its own policies and to report to the Committees on Appropriations on the status of its efforts.

The conference agreement provides an additional $5,000,000 above the President's request, and the managers direct the additional funds be used for terrorist financing activities and to expand programs providing economic advisors to assist countries in sub-Saharan Africa.

The managers endorse the language of the House report with respect to the International Affairs Technical Assistance program.

DEBT RESTRUCTURING

The conference agreement provides $95,000,000 for Debt Restructuring, the same level as proposed by the House bill instead of $195,000,000 in the Senate amendment. The managers expect the funds to be allocated as follows: $20,000,000 for the Tropical Forest Conservation Act Programs and $75,000,000 for the first of two contributions to the Heavily Indebted Poor Countries Trust Fund.

Prior to obligating any funds for the HIPC Trust fund, the managers direct the Department of the Treasury to submit in writing to the Committees on Appropriations: a list of donors to the HIPC Trust Fund, each donor's pledge and actual contribution, the date of contributions, detailed disbursement data of the Fund including the level of funds transferred to each financial institution and the date of transfer, the current and expected future balance of the HIPC Trust Fund, an explanation of the current HIPC Trust Fund shortfall of funds, and an estimate of future United States contributions to the HIPC Trust Fund beyond fiscal year 2005.

The conference report does not include funds for bilateral debt relief for the Democratic Republic of Congo (DROC). Given the greater humanitarian and emergency needs in the DROC, the conference agreement has dedicated funding to the Development Assistance, Child Survival and Health Programs Fund, International Disaster Assistance, Office of Transition Initiatives, and the Economic Support Fund in the expectation that this assistance will address and benefit more immediately the most pressing needs in DROC and Africa.

TITLE III—MILITARY ASSISTANCE

INTERNATIONAL MILITARY EDUCATION AND TRAINING

The conference agreement provides $91,700,000 for the International Military Education and Training program as proposed by the Senate instead of $91,100,000 as proposed by the House.

The conference agreement provides that funding for Algeria and Cambodia shall be subject to the regular notification procedures of the Committees on Appropriations. The House bill did not include these nations, but both the House bill and the Senate amendment provided that funding for Nigeria and Guatemala is subject to notification.

As evidenced by the conference agreement, the managers continue to strongly support the International Military Education and Training (IMET) program.

The managers endorse the Senate report language concerning performance evaluation procedures of the IMET program. The managers believe that more needs to be done to improve output measures for the IMET program. The managers believe that simply counting the number of trainees is not sufficient to measure the IMET program and its results. The managers expect not later than 90 days after enactment of this Act, that the Secretary of State, after consultation with the Secretary of Defense, shall report to the

Committees on Appropriations on other factors that will be used to measure and evaluate the success of the IMET program.

The managers endorse Senate report language on the Informational Program. In section 554, the managers have agreed to the provision in the House bill that requires the Secretaries of Defense and State to submit the annual foreign military training report required by section 656 of the Foreign Assistance Act to the Committees on Appropriations. This provision eliminates the requirement for separate reports to be prepared and transmitted to Congress.

FOREIGN MILITARY FINANCING PROGRAM

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $4,294,000,000 instead of $4,314,000,000 as proposed by the House and $4,384,000,000 as proposed by the Senate.

The managers have included language providing $2,160,000,000 for Israel and $1,300,000,000 for Egypt as proposed in both the House and Senate bills. The conference agreement includes language similar to that proposed in the Senate bill which provides that $206,000,000 should be made available for assistance for Jordan.

The managers note that in a previous continuing resolution, P.L. 108–84, the Congress authorized a $550,000,000 Foreign Military Financing loan to the Czech Republic for the acquisition, logistics and training support of U.S. F–16 aircraft. The Administration request stated that this action would have no budgetary impact, but the Congressional Budget Office did not concur and estimated the subsidy cost of this assistance under section 502 of the Budget Act to be $20,000,000. As this cost must be accommodated within the budget allocation for this bill, the managers have made the necessary reductions to absorb this credit subsidy within the amounts provided under this heading.

The conference agreement includes $50,000,000 for FMF assistance for Afghanistan. The conference agreement includes $20,000,000 for the Philippines as proposed by the Senate. The conference agreement includes $2,000,000 in FMF assistance for counter-terrorism efforts by Uganda as proposed by the House.

The managers have not included the earmark of $27,000,000 for assistance to Poland as proposed by the Senate. The managers strongly support expansion of United States foreign military assistance to Poland, and increased assistance for all nations that are contributing coalition forces in Iraq. The managers expect the Administration to propose increased FMF support for nations such as Poland, Bulgaria, Latvia and Lithuania in the fiscal year 2005 budget request.

The managers note that in its efforts to obtain Article 98 agreements, the State Department inadvertently allowed the signature of the Former Yugoslav Republic of Macedonia as simply "Macedonia." In the future the Department should adhere to current policy using the formal name for this Balkan nation.

The managers have included language similar to that in the Senate bill allowing transfer of $17,000,000 to the "Andean Counterdrug Initiative" account for aircraft and related assistance

for the Colombian National Police. The managers have included language proposed by the Senate that prohibits the use of funds for activities relating to the clearance of unexploded ordnance from United States Armed Forces testing or training exercises, except on San Jose Island, Republic of Panama, where such activities already are underway.

PEACEKEEPING OPERATIONS

The conference agreement appropriates $74,900,000 for "Peacekeeping Operations" (PKO) instead of $84,900,000 as proposed by the Senate and $85,000,000 as proposed by the House.

The managers have fully funded every program in this account, except for a request for additional financial support for the Afghan National Army. While recognizing the importance of this initiative, the managers believe that this request can be fulfilled by using PKO funds provided in prior Emergency Supplemental Appropriations Acts for Iraq and Afghanistan (P.L. 108–106 and P.L. 108–11).

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

The conference agreement appropriates $139,240,000 for the Global Environment Facility (GEF) instead of $107,500,000 as proposed by the House and $170,997,000 as proposed by the Senate. The managers intend that $107,500,000 of this amount is for the scheduled United States contribution to the third replenishment of the GEF, and $31,740,000 for past payments due.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

The conference agreement appropriates $913,200,000 for the International Development Association (IDA), the concessional lending facility of the World Bank, instead of $850,000,000 as proposed by the House and $976,825,000 as proposed by the Senate. The managers intend that the appropriation be made available to fully provide for the first scheduled payment under the United States commitment to the thirteenth replenishment of IDA and to provide $63,200,000 of the $100,000,000 incentive contribution.

The Secretary of the Treasury certified on April 12, 2003 that the World Bank had met the conditions, specifically the setting up of performance benchmarks for World Bank programs, which would have allowed for an additional contribution of $100,000,000. However, the Committees on Appropriations were not consulted regarding this commitment of an additional $100,000,000 in appropriated funds. Therefore, the managers have included language that would require an independent audit to determine if the World Bank is meeting its performance targets in the spring of 2004 before the Secretary of the Treasury can further commit appropriated funds to the IDA–13 agreement. If an independent audit is not conducted, the managers do not plan to include any incentive contribution in fiscal year 2005.

CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

The conference agreement appropriates $1,124,000 for paid-in capital for the Multilateral Investment Guarantee Agency (MIGA), the amount provided in the Senate amendment, instead of $4,001,672 as proposed by the House bill. The managers intend for the appropriation to be provided for past payments due by the United States to MIGA. Approval for a subscription to the appropriate amount of callable capital is also included in the conference agreement.

CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION

The conference agreement includes no appropriation for past payments due to the Inter-American Investment Corporation, as proposed by the House. The Senate proposed funding at a level of $898,000.

The managers endorse House report language regarding the Inter-American Development Bank.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

The conference agreement appropriates $25,000,000 for past due payments by the United States to the Multilateral Investment Fund as proposed by the House, instead of $30,614,000 as proposed by the Senate.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

The conference agreement provides $144,421,000 for the United States contribution to the Asian Development Fund, instead of $151,921,405 as proposed by the House and $136,921,000 as proposed by the Senate. The managers intend that the appropriation be made available to fully provide for the $103,000,000 scheduled payment under the United States commitment to the seventh replenishment of the Asian Development Fund and $41,421,000 for past payments due.

The managers endorse House report language regarding the Asian Development Bank.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

The conference agreement appropriates $5,104,930 for the African Development Bank as proposed by the House instead of $5,105,000 as proposed by the Senate.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

The conference agreement appropriates $112,725,000 for the African Development Fund instead of $107,370,856 as proposed by the House and $118,081,000 as proposed by the Senate.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

The conference agreement provides $35,431,111 for the European Bank for Reconstruction and Development as proposed by the House instead of $35,431,100 as proposed by the Senate.

INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

The conference agreement includes $15,004,042 for a United States contribution to the International Fund for Agricultural Development (IFAD), as provided by the House. The Senate amendment provided $15,004,000. While IFAD is the seventh largest multilateral contributor to the enhanced Heavily Indebted Poor Countries initiative (HIPC), it, however, still does not have access to the core resources of the companion HIPC Trust Fund. Currently, IFAD has to absorb 87 percent of the cost for participating in HIPC, while other multilateral development banks with full access absorb much smaller percentages. The managers urge the Administration to work with other donors so IFAD will gain access to the core resources of the HIPC Trust Fund.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

The conference agreement provides $321,650,000 for voluntary contributions to International Organizations and Programs instead of $194,550,000 as proposed by the House and $322,550,000 as proposed by the Senate. The conference agreement provides $120,000,000 for a contribution to UNICEF under this heading, as proposed by the Senate. The House provided these funds under the heading "Child Survival and Health Activities".

The managers continue to support the work of the World Food Program (WFP) and have provided $6,000,000 for a voluntary contribution under section 534 of this Act similar to the Senate amendment. The House included a $6,000,000 contribution to the WFP under this heading.

The managers have included $750,000 for a voluntary contribution for the United Nations Human Settlements Program (UNHABITAT), which works to improve the lives of slum dwellers around the world. The managers note that in prior fiscal years the Administration has supported the work of UNHABITAT and reprogrammed funds to this organization. The managers recognize the Administration's efforts on this issue and urge that funds are requested for UNHABITAT in fiscal year 2005.

The managers are concerned that in fiscal year 2003, the Department of State disproportionately applied the 0.65 percent across-the-board cut mandated by P.L. 108–7 instead of reducing every program in this account by the same amount. As a result, certain organizations and programs under this heading bore the brunt of the rescission while others were not reduced. The conference agreement does not contain Senate earmarks under this heading, but the managers intend that the State Department will allocate funds according to the chart below. Should any across the board rescission be mandated that impacts this Act, such rescission is to be applied equitably for each organization and program indicated in the chart.

The managers have provided $2,500,000 for the United Nations High Commissioner for Human Rights, to support its activities including human rights training for peacekeepers, activities to address trafficking in persons, monitoring and field activities.

Funds in this account are allocated in the following table and, as stipulated in bill language any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

[$ in thousands]

UN High Commissioner, Human Rights	$2,500
UN Fund for Tech. Cooperation in Human Rights	1,500
UN Voluntary Fund for Victims of Torture	5,500
OAS Fund for Strengthening Democracy	3,000
UNDP	102,000
UNIFEM	1,000
UNICEF	120,000
OAS Development Assistance	5,500
OAS Special Mission in Haiti	5,000
WTO	1,000
ICAO Aviation Programs	1,000
UNEP	11,000
World Food Program	*0
Montreal Protocol	21,000
International Conservation Programs (CITES/ITTO/IUCN/Ramsar/CCD)	6,400
IPCC/UNFCCC	5,600
International Contributions for Scientific Educational & Cultural Activities	1,900
World Meteorological Organization	2,000
UN Center for Human Settlements	750
Reserve to be allocated	25,000
Total	321,650

*$6,000,000 provided under section 534.

TITLE V—GENERAL PROVISIONS

(NOTE: If House and Senate language is identical except for a different section number or minor technical differences, the section is not discussed in the Statement of Managers.)

Sec. 502. Private and Voluntary Organizations

The conference agreement includes language identical to that included in the House bill that requires receiving development assistance to obtain more than 20 percent of its total annual funding from other sources. The section does not include Senate language requiring that funds must be made available to PVOs in title II at the level they were provided in fiscal year 1995.

Sec. 506. Prohibition on Taxation of United States Assistance

The conference agreement contains a provision prohibiting taxation of United States assistance that is a modification of a similar provision contained in section 579 of the fiscal year 2003 foreign operations appropriations Act. The managers intend that section 579 be applied in accordance with the changes made to that section by this Act. In addition, in order not to create an undue reporting burden on contractors, grantees and other entities implementing that section, and in recognition that the reimbursement process is often not completed by the time it is necessary to determine what

amounts are to be withheld, the managers agree that in determining amounts to be withheld agencies may use estimates and statistical sampling to determine the amount of assessed taxes and the amount of reimbursements that will be paid over a reasonable period of time. The Senate did not address this matter.

Sec. 507. Prohibition Against Direct Funding for Certain Countries

The conference agreement includes language similar to that included in the House bill regarding prohibiting assistance to certain countries, but does not include Senate language adding Sudan to the list of countries.

The conference agreement includes language clarifying terminology in P.L. 106–570 regarding Sudan as proposed by the Senate, but it is included in section 534, "Special Authorities". The House did not address this matter.

Sec. 509. Transfers

The conference report includes House language on this matter. The new provisions of this section would prohibit transfers to any department, agency, or instrumentality of the United States unless specifically authorized in this Act, except for certain transfers authorized by provisions of the Foreign Assistance Act. The Senate did not address this matter.

Sec. 515. Notification Requirements

The conference agreement reflects a technical change to include "Global HIV/AIDS Initiative" and "Millennium Challenge Corporation" to the list of accounts that are subject to notification pursuant to this section. The House bill had similar language, and the Senate did not address these matters.

Sec. 517. Independent States of the Former Soviet Union

The conference agreement includes language similar to that proposed in the House bill regarding Enterprise Funds. The provision does not include Senate language regarding the ability to deposit funds in an interest bearing account and the spending of such interest. This language is in permanent law and does not need to be included.

Sec. 520. Special Notification Requirements

The conference agreement adds "Cambodia" to the list of countries subject to special notification procedures of this section as proposed by the Senate but deletes "Colombia" as proposed by the House. This section does not delete "Serbia" and "Pakistan" as recommended by the House.

Sec. 522. Child Survival and Health Activities

The conference agreement authorizes USAID to use up to $13,500,000 from the "Child Survival and Health Programs Fund" and $3,500,000 from "Development Assistance" for technical experts from other government agencies, universities, and other institutions.

The conference agreement includes language notwithstanding any other provision of law, except for those provisions under "Child

Survival and Health Programs" and P.L. 108–25 (the "United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003"), for funds appropriated by titles II and III of this Act for bilateral child survival or disease programs.

The conference agreement also deletes authority allowing funds from titles II and III (in the House bill) or title III (in the Senate bill) to be used for activities authorized under section 301 of the Foreign Assistance Act. This authority is no longer needed, since funding for UNICEF has been moved to the International Organizations and Programs section.

The conference agreement provides that not less than $432,000,000 shall be made available for reproductive health/family planning activities from funds appropriated by this Act.

Sec. 523. Afghanistan

The conference agreement provides that not less than $405,000,000 of the funds appropriated by titles II and III shall be made available for humanitarian and reconstruction assistance for Afghanistan. The House and Senate proposed a level of not less than $600,000,000. With the enactment of the fiscal year 2004 emergency supplemental (P.L. 108–106), an additional $1,200,000,000 has been provided for Afghanistan in fiscal year 2004.

The managers intend that funds provided under this section be allocated as follows:

[$ in thousands]

Child Survival and Health Programs Fund	$21,000
Development Assistance	150,000
International Disaster Assistance	35,000
Economic Support Fund	75,000
Migration and Refugee Assistance	72,000
Foreign Military Financing	50,000
Other	2,000
Total	405,000

The managers intend that not less than $2,000,000 be provided for a reforestation program in Afghanistan, not less than $2,000,000 for the Afghan Judicial Reform Commission, not less than $5,000,000 for the Afghan women's programs, and not less than $2,000,000 for assistance for Afghans that suffer losses from military operations.

The managers urge the Department of State and USAID in Afghanistan to work together to ensure that United States and international officials, contractors, and grantees are more adequately protected from insurgent attacks as they manage and implement reconstruction projects. In particular, the Embassy is requested to use the authorities and funds made available for Afghanistan in this Act and in P.L. 108–106 to equitably allocate diplomatic security and contract security so that USAID and other assistance managers can more safely oversee and assess programs outside of Kabul.

The managers welcome the new mandate to expand the presence of the International Security Assistance Force (ISAF) outside Kabul. However, without additional resources and military personnel, ISAF expansion may not effectively contribute to creating

a security environment for political development and reconstruction in Afghanistan, particularly in the south and southeast. The managers urge the Administration to provide resources to support ISAF expansion and to seek additional NATO partners in this effort.

The managers also urge the Administration to work with NATO partners to reconcile ISAF expansion with any plans to create additional Provincial Reconstruction Teams (PRTs). The managers support the PRTs and believe their primary focus should continue to be enhancing security throughout Afghanistan.

The managers note that women in Afghanistan continue to struggle to achieve the most basic rights despite the efforts of the new government. The managers urge that women be carefully integrated into activities related to development and reconstruction, and also believe that there should be a specific focus on strengthening women-led institutions and organizations.

Therefore the managers provide $5,000,000 for programs aimed at addressing the needs of Afghan women through training and equipment to improve the capacity of women-led Afghan nongovernmental organizations, and to support the activities of such organizations. The managers urge USAID to establish a contracting mechanism for the disbursal and monitoring of small grants to women-led nongovernmental organizations to accomplish this goal.

Sec. 525. USAID Overseas Program

The conference agreement includes language proposed by the House that provides funds in this and subsequent appropriations Acts to carry out Part I of the Foreign Assistance Act may be used to employ individuals overseas on a limited appointment basis, and limits the number of employees hired under this provision to not more than 85. The Senate did not address this matter.

Sec. 526. Democracy Programs

The conference agreement includes $13,500,000 for democracy, human rights and rule of law programs in the People's Republic of China and Hong Kong, instead of $35,000,000 as proposed by the Senate, and provides that funds appropriated under the heading "Economic Support Fund" should be made available for assistance for Taiwan for the purposes of furthering political and legal reforms, subject to a matching requirement.

The conference agreement includes $11,500,000 for programs and activities to foster democracy, human rights, civic education, women's development, press freedom, and the rule of law in countries with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism. The Senate proposed $25,000,000 for these activities; the House did not address this matter. The conference agreement provides $3,000,000 of such funds shall be made available for programs and activities that provide professional training for journalists. The conference agreement includes language similar to a Senate proposal, which provides that "Economic Support Fund" assistance shall be made available to support civil society organizations working for democracy in Egypt. The managers intend that not less than $1,000,000

be made available for such organizations, including the Ibn Khaldun Center for Development, and that these funds are to be in addition to other amounts made available for Egypt in the Act.

The managers provide that not to exceed $1,500,000 of such funds may be used for making grants to educational, humanitarian and nongovernmental organizations and individuals inside Iran to support the advancement of democracy and human rights in Iran. The managers expect the Bureau for Democracy and Human Rights to provide $1,000,000 for such activities, the National Endowment for Democracy to provide $500,000, and to consult with the Committees on Appropriations prior to obligating any funds for these programs.

The conference agreement provides not less than $3,000,000 shall be made available for programs and activities of the National Endowment for Democracy to foster democracy, human rights, civic education, women's development, press freedom, and the rule of law in countries in sub-Saharan Africa.

The conference agreement provides a total of $17,500,000 for activities of the Bureau of Democracy, Human Rights and Labor, Department of State under this section, and not less than $34,500,000 from funds made available by this Act. The agreement provides a total of $9,500,000 for activities of the National Endowment for Democracy under this section.

The managers expect that funds made available under this section will be made available to the Alliance for Reform and Democracy in Asia.

The managers endorse language in Senate Report 108–106 regarding democracy programs, and direct USAID to consult with the Committees prior to making any changes in the framework or operation of its Consortium for Elections Political Process Strengthening (CEPPS) funding mechanism. The managers endorse the reporting requirement contained in the Senate report on anticipated contributions to the CEPPS funding mechanism from all accounts.

Sec. 528. Debt for Development

The conference agreement includes House language on this matter. The Senate amendment would have authorized the use of appropriated funds for endowments. The managers are concerned about the desire of the Administration to create endowments without the consent of the Committees on Appropriations, therefore the managers expect that any endowments proposed by the Administration in fiscal year 2005 will be proposed in the President's budget request for fiscal year 2005.

The conference agreement does not include Senate language expanding the authorities of the provision to allow non-governmental organizations to deposit any funds made available in this Act or in prior Acts into interest bearing accounts. The House did not address this matter.

Sec. 531. Burma

The conference agreement includes a modified version of the Senate's provision on the use of the Economic Support Fund in Burma and along the Burma-Thailand border, and, in addition, a

House provision, similar to language in prior year Acts, regarding independent media activities promoting democracy inside Burma.

The managers continue to strongly support the struggle for freedom in Burma, and call for the immediate and unconditional release of Burmese democracy leader Daw Aung San Suu Kyi and all other prisoners of conscience. The managers expect the State Department to use every opportunity to press regional neighbors and the community of democracies to support political reconciliation in Burma that includes the full consultation and participation of the National League for Democracy and ethnic nationalities.

The managers are concerned with reports of growing military ties between Burma and North Korea, and the purchase of weapons from North Korea through shipments of heroin. The managers request that, not later than 90 days after enactment of this Act, the Secretary of State report to the Committees on the nature and extent of military ties between these two rogue nations.

The conference agreement provides $13,000,000 to support democracy programs in Burma, along the Burma-Thailand border, for activities of Burmese student groups and other organizations located outside Burma, and for the purpose of supporting the provision of humanitarian assistance to displaced Burmese along Burma's borders. The agreement provides that $5,000,000 shall be allocated to the United States Agency for International Development for humanitarian assistance for displaced Burmese and host communities in Thailand, and that $500,000 should be made available to support newspapers, publications, and other media activities promoting democracy inside Burma. The managers request to be consulted prior to the provision of any assistance to Irrawaddy Publishing Group.

The managers again expect that $1,000,000 will be provided to support efforts to combat HIV/AIDS inside of Burma, and that not less than $1,000,000 will be provided to support efforts to limit malaria and infectious diseases among Burmese along the Burma-Thailand border. These funds are to be made available under the heading Child Survival and Health Programs Fund in this Act, and are in addition to the amounts provided under this section.

The conference agreement includes a reporting requirement by the Secretary of State, in consultation with the Administrator of USAID, describing the estimated amount and rate of disbursement of fiscal year 2002 and 2003 funding for HIV/AIDS programs and activities in Burma, the amount of funds expended by the State Peace and Development Council (SPDC) on HIV/AIDS programs and activities in calendar years 2001, 2002, and 2003, and the extent to which international nongovernmental organizations are able to conduct HIV/AIDS programs throughout Burma, including the ability of expatriate staff to freely travel through the country and to conduct programmatic oversight independent of SPDC handling and monitoring.

Sec. 534. Special Authorities

The conference agreement includes House language providing certain authority for assistance for Lebanon and Montenegro and Pakistan, assistance to victims of war, displaced Burmese, and assistance to combat trafficking.

The managers have continued current authority for certain bureaus and offices in USAID to hire personal service contractors, expanded existing authority for USAID to provide support for administrative costs of a program to provide information regarding available donated space on commercial ships to organizations shipping humanitarian assistance, and provides for expanded authorities under section 660(b)(6) of the Foreign Assistance Act of 1961.

The conference agreement includes Senate language giving authority notwithstanding any other provision of law for the National Endowment for Democracy as proposed by the House and Senate.

The conference report also includes language that provides $6,000,000 for the World Food Program from USAID's Bureau for Democracy, Conflict, and Humanitarian Assistance as proposed by the Senate. The House provided these funds under the heading "International Organizations and Programs".

Sec. 539. Ceilings and Earmarks

The conference agreement includes House language that allows for funds provided in this Act to be made available notwithstanding earmarks in any other Act, similar to language proposed in the Senate.

Sec. 544. Withholding of Assistance for Parking Fines Owed by Foreign Countries

The conference agreement allows 110 percent of the total amount of unpaid parking fines determined to be owed by foreign countries to the District of Columbia and New York City, New York, to be withheld from obligation for assistance to such country, as proposed by the Senate. The language is similar to that proposed by the House.

The managers are concerned that nations receiving foreign assistance under this Act owe at least $16,600,000 to the City of New York in unpaid parking tickets and penalties. Noting the longstanding efforts of the City to work with the State Department to collect these outstanding balances, the managers have included language to enhance the penalties associated with this provision. This is similar to Senate language.

The managers urge the State Department to work cooperatively with the City of New York and the District of Columbia to find a workable solution to collect the unpaid balances from 1997 to 2002 that satisfies all sides and resolves the situation once and for all.

Sec. 546. War Crimes Tribunals Drawdown

The conference agreement includes House and Senate language authorizing up to $30,000,000 in drawdowns of commodities or services for war crimes tribunals. The conference agreement includes Senate language adding the Special Court for Sierra Leone to the list of tribunals exempted from notification. The House did not address this matter.

Sec. 550. Restrictions on Voluntary Contributions to United Nations Agencies

The conference agreement includes language in the House bill prohibiting voluntary contributions to the United Nations if the United Nations implements or imposes any taxation on people in the United States. The Senate did not address this matter.

Sec. 552. Limitation on Assistance to the Palestinian Authority

The conference report includes language similar to the House bill that prohibits funding to the Palestinian Authority to carry our chapter 4 of part II of the Foreign Assistance Act and includes a waiver if the President certifies in writing to the Speaker of the House and the President Pro Tempore of the Senate that waiving such a provision is important to the national security interests of the United States. The conference report includes Senate language requiring a report on, among other issues, a description of how the funds will be spent and the accounting provisions used to monitor their expenditure, should the waiver be exercised. The House did not address this matter.

Sec. 554. Foreign Military Training Report

The conference agreement includes House language requiring the Secretaries of Defense and State to submit the annual foreign military training report required by section 656 of the Foreign Assistance Act to the Committees on Appropriations by the date specified in that section. The Senate amendment would have continued the requirement of a similar but separate report to the Committees on Appropriations.

Sec. 555. Environment Programs

The conference report includes language similar to a Senate provision for programs that protect biodiversity and energy conservation, energy efficiency and clean energy programs, in developing countries. This matter is addressed under the heading "Development Assistance".

Sec. 556. Regional Programs for East Asia and the Pacific

The conference agreement includes language similar to that proposed by the Senate requiring that funds appropriated under the heading "Economic Support Fund" that are requested for "Regional Democracy" assistance for the State Department's Bureau of East Asia and the Pacific shall be made available for the Human Rights and Democracy Fund of the State Department's Bureau of Democracy, Human Rights, and Labor.

Sec. 557. Zimbabwe

The conference agreement is the same as current law and is identical to the Senate amendment. The House did not address this matter.

Sec. 558. Tibet

The conference agreement includes language similar to a Senate provision regarding Tibet, but the matter is addressed under the heading "Economic Support Fund".

Sec. 559. Authorization Requirement

The conference agreement includes language that provides that funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956, similar to language provided in the Senate amendment.

Sec. 560. Nigeria

The conference agreement includes a provision identical to current law and the Senate amendment that restricts the use of IMET and FMF for Nigeria until a Presidential certification regarding actions taken against whom there is credible evidence of gross violations of human rights in Benue State in October 2001, and the Government of Nigeria and the Nigerian Armed Forces are taking effective measures to bring such individuals to justice. The conference agreement includes a Presidential waiver. The House did not address this matter.

Sec. 561. Cambodia

The conference agreement includes language similar to the Senate provision continuing restrictions on assistance to the central Government of Cambodia, with a few exceptions, and provides up to $4,000,000 for assistance for democracy programs in that country. The managers endorse the budget request for Cambodia, but recommend $17,000,000, instead of $15,000,000, in assistance under the heading "Economic Support Fund".

The managers permit IMET assistance to Cambodia should the Secretary of State provide a list of those individuals credibly alleged to be responsible for gross human rights violations in Cambodia, including, among other tragic events, the 1997 grenade attack against the Khmer Nation Party that killed and injured scores of Cambodians and American democracy worker Ron Abney. The managers expect a broad range of official and nongovernmental organizations to be consulted in creating this list. The managers also request the Federal Bureau of Investigation to renew efforts to investigate this act of terrorism.

The conference agreement prohibits the use of funds in this Act to support any Khmer Rouge tribunal established by the Government of Cambodia. The managers strongly support justice for genocide and crimes against humanity committed by the Pol Pot regime, but remain concerned that the proposed tribunal—in its current formation—is open to manipulation and interference by the Cambodian People's Party and falls short of meeting international standards of justice. The managers expect sufficient funding to be provided to the Documentation Center of Cambodia.

The managers remain concerned with the political situation in Cambodia, and commend the Alliance of Democrats for their commitment to democracy and the rule of law. The managers recommend that the State Department continue to publicly support the legal rights of the Alliance to negotiate a new Cambodian government and to press the Government of Cambodia for justice for crimes and human rights abuses committed with impunity, including the murder of former parliamentarian Om Radsady earlier this year.

The managers recommend sufficient funding be provided to Global Witness, the only effective watchdog organization on Cambodia deforestation issues.

Section 562. Palestinian Statehood

The conference agreement includes language similar to that proposed by the House that prohibits funding to support a Palestinian state unless the Secretary of State makes certain determinations. The Senate had similar language.

Section 563. Colombia

The conference agreement includes a modified version of the Senate language on conditioning funds for Colombian Armed Forces through a two-time human rights certification process. Additionally, these funds are made available only upon notification to the Committees on Appropriations, and the conference report includes language requiring the Department of State to consult with the human rights non-governmental organizations every 90 days instead of prior to the certification. The House addressed this matter but only required a one-time certification.

Sec. 567. Contributions to United Nations Population Fund

The conference report provides $34,000,000 for the United Nations Population Fund (UNFPA), which is subject to the "Kemp-Kasten" provision. Of this amount, $25,000,000 is to be made available from the "International Organizations and Programs" account and the balance from the "Child Survival and Health Programs Fund". The managers are aware that UNFPA has stated its opposition to the Chinese Government's one child policy and its social compensation fee. The managers condemn all forms of coercion in China's family planning policy and practice. The managers request the Department of State to report to the Committees not later than July 15, 2004, on the steps it and UNFPA have taken to urge the Government of China to end its birth limitation policy, including the social compensation fee, and the results of those efforts, nationally, and particularly in the counties in which UNFPA operates.

Sec. 568. Central Asia

The conference agreement includes language similar to that included in the Senate amendment that conditions the assistance to the Governments of Uzbekistan and Kazakhstan. The House did not address this matter.

Sec. 569. Discrimination Against Minority Religious Faiths in the Russian Federation

The conference agreement includes language similar to that in the Senate bill and the fiscal year 2002 Act that withholds funds for the Government of the Russian Federation until the President certifies that the Russian Central Government is not acting to discriminate against minority religious faiths. The House did not address this matter.

Sec. 572. Funding for Serbia

The conference agreement contains language similar to that proposed by the Senate, except that the provisions of this section affect assistance for Serbia after March 31, 2004. In addition, language is included that specifies Radko Mladic as an indictee whose surrender and transfer, if practicable, would signify cooperation with the International Criminal Tribunal for the former Yugoslavia. The House bill included current law only.

Sec. 573. Community-Based Police Assistance

The conference agreement includes language similar to the House language authorizing use of certain USAID-administered funds in title II of this Act for support for civilian police in Jamaica and El Salvador, notwithstanding section 660 of the Foreign Assistance Act, and any funds for this purpose are subject to notification. The Senate bill included a general, world-wide waiver of this authority.

Sec. 576. Disaster Surge Capacity

The conference report includes language proposed by the House that allows funds in this Act to carry out part I of the FAA to be used to pay for detailees to or employees of USAID who carry out programs to address disasters, or programs under the heading "Transition Initiatives".

Sec. 577. IFAD Authorization

The conference report includes language proposed by the House that authorizes $45,000,000 without fiscal year limitation for payment by Treasury for the International Fund for Agricultural Development. The Senate did not address this matter.

Sec. 578. Philippine Education and Health Infrastructure

The conference agreement includes language as proposed by the House bill that requires that $600,000 of funds under the heading "Economic Support Fund" provided in P.L. 108–11 shall be available only for upgrading education and health infrastructure in the Sulu Archipelago.

Sec. 579. Basic Education

The conference agreement includes language similar to that proposed by the House that provides not less than $326,500,000 for basic education from title II and requires the Secretary of State shall submit a report not less than 120 days after enactment of this Act laying out the strategy for the use of basic education funds. The Senate did not address this matter.

Sec. 580. Participation in the Thirteenth Replenishment of the Resources of the International Development Association

The conference report includes language identical to that proposed by the House that would authorize a further United States contribution to IDA, including making the contribution subject to prior appropriations. The Senate did not address this matter.

Sec. 581. Administrative Provisions Related to the Multilateral Development Institutions

The conference report includes language similar to section 578 of the House bill and section 679 of the Senate amendment, regarding transparency and accountability at the multilateral development institutions. The managers are concerned that these institutions are not moving fast enough to strengthen oversight of internal controls and procedures, protect whistle blowers from retaliation, and broaden public access to information about lending proposals, strategies and policies. The conference agreement provides that the Secretary of the Treasury should instruct the U.S. Executive Director at each of these institutions to inform the institution of a number of important policy goals, and to use the voice and vote of the United States to achieve these goals before June 30, 2005. The Secretary is to report on progress not later than September 1, 2004, and six months thereafter.

Sec. 582. Participation in the Seventh Replenishment of the Resources of the Asian Development Fund

The conference report includes language identical to that proposed by the House that would authorize a further United States contribution to the Asian Development Fund, including making the contribution subject to prior appropriations. The Senate did not address this matter.

Sec. 583. Participation in the Ninth Replenishment of the Resources of the African Development Fund

The conference report includes language identical to that proposed by the House that would authorize a further United States contribution to African Development Fund, including making the contribution subject to prior appropriations. The Senate did not address this matter.

Sec. 584. Overseas Private Investment Corporation and Export-Import Bank Restrictions

The conference agreement includes a provision identical to the Senate amendment and current law that prohibits the use of funds by OPIC and the Export-Import Bank to finance investments in connection with a project involving diamonds in a country that is not implementing the requirements developed by the Kimberley Process, or is not undertaking other measures that the Secretary of State determines to contribute to the elimination of the trade in conflict diamonds.

Sec. 585. Reconciliation Programs

The conference agreement includes language similar to that proposed by the Senate that would provide $8,000,000 from within the Economic Support Fund account for conflict resolution programs and activities. The House did not address this matter.

Sec. 586. Nicaragua

The conference agreement includes a general provision, similar to Senate language, which provides that not less than $35,000,000 in Child Survival and "Development Assistance" funds should be

made available for Nicaragua, which is $4,000,000 above the amount requested. The House addressed this matter in the report.

Sec. 587. Disability Access

The conference report includes language similar to the Senate bill that requires the Administrator of USAID to develop and implement standards for access for people with disabilities for construction projects funded by USAID. The House did not address this matter.

Sec. 588. Trade Capacity Building

The conference agreement includes language providing not less than $503,000,000 for trade capacity building assistance from the Trade and Development Agency, Development Assistance, Transition Initiatives, ESF, International Affairs Technical Assistance, and International Organizations and Programs accounts. The House had similar language, and the Senate did not address this matter.

Sec. 589. War Crimes in Africa

The conference agreement includes a modified Senate provision that would make assistance available to the central government of a country in which individuals indicted by the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL) are credibly alleged to be living, if the Secretary of State certifies that such government is cooperating with ICTR and SCSL. The provision contains a national security waiver. The managers believe that peace and reconciliation efforts in West and Central Africa will be severely undermined if those most responsible for genocide in Rwanda and the atrocities in Sierra Leone are not brought to justice.

The managers commend the democratically-elected Government of Nigeria for reaching an agreement with the Government of Liberia which helped to give the international community an important opportunity to provide desperately needed relief to that nation. Nigeria is a key ally in the region and the managers have recognized its role in this provision. However, the managers also note that efforts to address the humanitarian crisis and rebuild Liberia, as well as other parts of West Africa, will be severely limited if individuals indicted by SCSL are not handed over to the Court. The managers note that the United Nations Special Representative for Liberia, senior members of the Nigerian military, and important Nigerian civic organizations have called for the transfer of indicted war criminals to SCSL.

The managers have also included language in this provision to provide $5,000,000 to the SCSL from unobligated balances of fiscal year 2003 "Economic Support Fund" (ESF) assistance. This language is similar to a Senate provision under the ESF heading, which would have provided $2,500,000 to the SCSL in fiscal year 2004. The managers have included this provision because a Congressional directive in P.L. 108–7 to provide these funds was ignored by the State Department. The managers continue to strongly support SCSL. The managers endorse the Senate report language on this issue.

The managers continue to be concerned with the situation in Ivory Coast, where there are serious questions concerning the peace process and the country is in danger of becoming permanently divided between the rebel-controlled territory in the north and the government-controlled south. The managers note, however, that elections are currently expected to occur in 2005, the number of armed combatants remains relatively low, and damage to the economic infrastructure is light, and, therefore, believe that the situation could turn around if there is a breakthrough in the peace process. The managers request the State Department to consult with the Committees on the situation in Ivory Coast, concerning a range of issues including the progress of the peace process, the possibility of a United Nations peacekeeping mission, and section 508 sanctions.

Sec. 590. Report on Admission of Refugees

The conference agreement provides language similar to the Senate bill that advises the Secretary of State to use private voluntary organizations with the relevant expertise in the processing, identification, and referral of refugees and advises the Secretary of State to develop a system for accepting referrals from local private, voluntary organizations, and outlines categories of special consideration for admission. The provision also mandates a report, not later than 120 days after enactment, on the progress made to implement this section. The House did not address this matter.

Sec. 591. Post Differentials and Danger Pay Allowances

The conference report includes language that amends sections 5925 (a) and 5928 of title 5, USC, to increase post differentials and danger pay allowances for USAID employees, subject to the provision of similar pay allowances to the employees of the Department of State. The pay increase would be available immediately for personnel deployed to Afghanistan and Iraq. The House did not address this matter.

Sec. 592. Report on Azerbaijan

The conference report includes language similar to that proposed by the Senate that requires the Secretary of State to submit a report to the appropriate congressional committees on the investigation of the murder of United States democracy worker John Alvis. The House did not address this matter.

Sec. 593. Designation of the Global Fund to Fight AIDS, Tuberculosis and Malaria under the International Organizations Immunities Act

The conference agreement includes a provision that amends the International Organizations Immunities Act by adding a new section that extends the provisions of the Act to the Global Fund the same as they are extended to a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act authorizing participation. This provision is identical to the Senate bill, and the House did not address this matter.

Sec. 594. Code of Conduct

The conference agreement includes a new section, "Code of Conduct" that prohibits refugee and humanitarian assistance funding under the headings "Migration and Refugee Assistance" and "Transition Initiatives" to an organization that has not adopted a code of conduct consistent with the Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises six core principles. Additionally the provision advises the Secretary of State and the Administrator of USAID to incorporate policies and programs to identify the needs of, and threats to, women and children at the various stages of a humanitarian emergency. The provision is similar to the Senate bill. The House addressed this matter under the heading "Migration and Refugee Assistance".

Sec. 595. Assistance for HIV/AIDS

The conference agreement contains Senate language amending Public Law 108–25, the "U.S. Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003" in order to set the baseline for calculating contributions from other donors to the Global Fund to Fight AIDS, Tuberculosis, and Malaria (Global ATM Fund) at 2004, for the purposes of calculating matching contributions, and to allow funds withheld due to certain provisions of Public Law 108–25 to be used for HIV/AIDS, tuberculosis, and malaria programs.

The managers have exempted the Global Fund to Fight AIDS, Tuberculosis, and Malaria, the World Health Organization, the International AIDS Vaccine Fund, and United Nations agencies, from section 301(f) of United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003. The managers intend that for purposes of this provision, the World Health Organization includes its six regional offices: The Americas (PAHO); South-East Asia (SEARO); Africa (AFRO); Eastern Mediterranean (EMRO); Europe (Euro); and Western Pacific (WPRO).

Sec. 596. Technical Correction Relating to the Enhanced HIPC Initiative

The conference agreement includes a Senate provision that makes a technical correction relating to the enhanced HIPC initiative. The House did not address this matter.

Sec. 597. Indonesia

The conference agreement includes language, similar to a Senate provision, which provides that International Military Education and Training (IMET) assistance may be made available for Indonesia if the Secretary of State determines and reports that the Indonesian Government and Armed Forces (TNI) are cooperating with the FBI's investigation of the August 31, 2002, murders of two American citizens and one Indonesian citizen in Timika, Indonesia. The managers are aware that, in the past, the TNI has not adequately cooperated with the FBI or with other investigations of this crime. However, the managers note that, during President Bush's trip to Indonesia in October 2003, the President and Indonesian President Megawati Sukarnoputri jointly "reaffirmed their shared

commitment to find the murderers and bring them to justice." The managers intend that, prior to the Secretary making a determination, the TNI will have unequivocally demonstrated its commitment to cooperate with the FBI. The managers note that expanded IMET assistance is already available for Indonesia without restriction, which may include English language training.

The managers endorse language in Senate Report 108–106 regarding Indonesia.

The managers remain troubled by the situation in Aceh and the ongoing conflict that has killed, injured and displaced thousands of innocent civilians. The managers note that the Indonesian Government has extended martial law for an additional six months, but continue to believe that this conflict will only be resolved through a political process.

The managers strongly support democracy and political party building programs in Indonesia, and recognize that these efforts are long-term endeavors. The managers expect sufficient funding to be provided for democracy and political party building activities, and request that USAID consult with the Committees on the development of its 5-year strategy document for that archipelago.

Sec. 598. Religious Freedom Report

The conference report includes language similar to that proposed by the Senate providing that the assessment and description of violations of religious freedom contained in the report required by section 102(b)(1)(B) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412 (b)(1)(B)) shall include a description of persecution targeted at religions, including acts of anti-Semitism, by individuals or organizations designated as terrorist organizations by the Secretary of State under section 219 of the Immigration and Nationality Act, as amended. The House did not address this matter.

Sec. 599A. Delivery of Assistance by Air

The conference report includes language similar to that proposed by the Senate that the Secretary of State and the Administrator of USAID are directed to provide charter air service in regions where scheduled air service is grossly inadequate. The House did not address this matter.

Sec. 599B. Modification on Reporting Requirements

The conference report includes a modification of reporting requirements in existing law including: sections (f) of P.L. 106–246 (the Emergency Supplemental Act, 2000) to change the monthly reporting requirement on Plan Colombia into a quarterly report, and by specifying that this report should be submitted to "the appropriate congressional committees", not "Congress"; section 3204(e) of P.L. 106–246 to specify that this report should be submitted to "the appropriate congressional committees", not "Congress"; and deletes the requirement for a report from GAO pursuant to subsection (a) of section 803 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, Appendix A of Public Law 106–429 (as enacted by section 101(a) of such Public Law). The House partly addressed this matter under the heading "Ande-

an Counterdrug Initiative", and the Senate addressed it in a general provision.

Sec. 599C. CPA Detailees

The conference agreement includes a provision requiring the Office of Personnel Management to provide a report of the number of individuals detailed from each executive agency to the Coalition Provisional Authority in Iraq on the date of enactment of this Act no later than February 1, 2004. The report shall identify by agency the number of non-reimbursable and reimbursable detailees and shall be updated on a quarterly basis until May, 2005.

PROVISIONS NOT ADOPTED BY THE MANAGERS

The conference report does not include section 555 of the House bill regarding "Korean Peninsula Energy Development Organization". The Senate did not include this provision.

The conference report does not include section 562 of the House bill regarding "Procurement and Financial Management Reform". The Senate did not include this provision.

The conference report does not include section 571 of the House bill and section 680 of the Senate bill regarding "Cuba".

The conference report does not include section 572 of the House bill regarding "Competition in Contracting". This issue was addressed in P.L. 108–106, the Fiscal Year 2004 Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan. The Senate amendment did not address this matter.

The conference report does not include section 581 of the House bill regarding "Efforts by North Korea Relating to the Proliferation of Nuclear Weapons". The Senate amendment did not address this matter.

The conference report does not include section 582 of the House bill regarding the Foreign Intelligence Surveillance Act of 1978. The Senate amendment did not address this matter.

The conference agreement does not include section 601 of the Senate amendment regarding "Obligations During the Last Month of Availability." The House did not address this matter.

The conference agreement does not include section 606 of the Senate amendment regarding "Prohibition on Financing Nuclear Goods." The House did not address this matter. Although no longer carried in the Act, the managers do not expect any funds in this Act from being used to finance the export of nuclear equipment, fuel or technology. If funds are used for such purposes, the managers expect these funds to be subject to the regular notification procedures of the Committees on Appropriations.

The conference agreement does not include section 610 of the Senate amendment regarding "Deobligation/Reobligation Authority." The House did not address this matter.

The conference report does not include section 662 of the Senate amendment regarding "Enterprise Funds in the Middle East Region". The House did not address this matter. The managers include a proviso under the heading "Economic Support Fund" requiring that a Middle East Financing Facility or Enterprise Fund shall be subject to the regular notification procedures of the Com-

mittees on Appropriations. The managers expect that, should such a Facility or Fund be established, the Secretary of State shall certify and report to the Committees on Appropriations prior to the obligation of any funds that: (1) all appropriate steps have been taken to ensure that assistance is not provided to any individual or entity that the management of the Facility or Fund has reason to believe advocates, plans, sponsors, or engages in, or has engaged in, terrorist activities; (2) the Facility or Fund furthers United States commercial interests in the region; and (3) the Facility or Fund is managed in a fiscally responsible manner.

The conference agreement does not include Senate section 683 regarding "American Churchwomen and Other Citizens in El Salvador and Guatemala" relating to the December 2, 1980 murders of four American churchwomen in El Salvador, and the May 5, 2001 murder of Sister Barbara Ann Ford and the murders of other American citizens in Guatemala, listed in the Senate report, since December 1999. The managers are aware that in a memorandum dated April 4, 2003, the U.S. Attorney General ordered the heads of all departments and agencies to report in writing on whether such government entity possesses information relevant to these murders, and, if so, to set forth a written plan for expeditious review of the information for possible release to the victims' families. Each plan is to include an estimate of the date by which the review and possible release of information is expected to be completed. The managers direct the Attorney General to provide to the Committees on Appropriations, not later than 60 days after enactment, copies of the written plans for each such government entity and a description of progress made in implementing such plans. The House did not address this matter.

The conference agreement does not include Senate section 686 requiring the Secretary of State to report on the status of the Administration's strategy to address the international coffee crisis. The managers are troubled that this strategy has been delayed for several months and expect it to be released in the near future. The managers note the serious impact that the coffee crisis is having on many nations that receive U.S. foreign assistance and endorse the Senate report language on this issue. The House did not address this matter.

The conference agreement does not include Senate section 687 prohibiting assistance to the central Government of Venezuela if the Secretary of State certifies that the central Government of Venezuela is assisting, harboring or providing sanctuary for Colombian terrorist organizations. The managers request the Secretary of State to provide to the Committees, in a classified form if necessary, not later than 90 days after the enactment of this Act, (1) a description of specific actions taken by the Government of Venezuela to cooperate with the Government of Colombia on counter drug matters, and (2) a description of the extent to which, if any, the Government of Venezuela has supported or assisted groups designated as terrorist organizations in Colombia.

The conference agreement does not include section 689 of the Senate amendment that provides that funds appropriated by this Act that are available for the central Government of Thailand may be made available if the Secretary of State determines and reports

to the Committees that, among other actions, the Thai Government supports the advancement of democracy in Burma and is not hampering the delivery of humanitarian assistance to people in Thailand who have fled Burma. The managers provide $5,000,000 to USAID to address the plight of Burmese in Thailand. The managers remain concerned by Thailand's continued engagement with the repressive Burmese junta, including recent pledges to set aside differences to promote economic cooperation. The managers view such actions as contrary to furthering the struggle of democracy inside Burma.

The conference agreement does not include Senate section 692 regarding "Prohibition on Funding to Countries That Trade in Certain Weapons with North Korea". The House bill did not address this matter.

The conference agreement does not include section 693 as proposed by the Senate regarding religious tolerance in Malaysia. However, the managers remain deeply concerned that the inaccurate and anti-Semitic comments of the former Malaysian Prime Minister may fuel religious intolerance throughout the region and provide credibility to the hateful messages of religious extremists in Malaysia, Indonesia and elsewhere. The managers understand that the views of the former Prime Minister, who retired on October 31, 2003 do not reflect those of all Malaysians, including the country's new leadership. The House bill did not address this matter.

The conference agreement does not include Senate section 699A regarding a "Report on Sierra Leone". The House did not address this matter. The managers intend that the Administrator of USAID submit a report to the Committees on Appropriations, no later than 6 months after enactment, on the feasibility of establishing a United States mission in Sierra Leone.

The conference agreement does not include Senate section 699B regarding a "Report on Somalia". However, the managers expect that not later than 6 months after enactment the Secretary of State will submit a report to the Committees on Appropriations, describing a strategy for engaging with competent and responsible authorities and organizations within Somalia, including those in Somaliland, to strengthen local capacity and establish incentives for communities to seek stability. The report is also to include a multi-year strategy for: increasing access to basic education and health care services; supporting efforts to establish systems for effective regulation and monitoring of Somali hawala or informal banking establishments; and supporting initiatives to rehabilitate the livestock export sector in Somalia. The House did not address this matter.

The conference agreement does not include Senate section 699D regarding a "Guinea Worm Eradication Program". This matter is addressed under the heading "Child Survival and Health Programs Fund". The House did not address this matter.

While the conference agreement does not include Senate section 699E expressing the sense of Congress on certain issues relating to Iran, the managers support this language and remain gravely concerned with the Government of Iran's authoritarian and repressive rule, its development of nuclear weapons and their deliv-

ery systems, and support for terrorists and other undesirable elements that may undermine reconstruction efforts in Iraq. The House did not address this matter.

The conference agreement does not include Senate section 699G that earmarked $7,000,000 in "Transition Initiatives" funds for democracy-building efforts in Cuba. However, the managers recommend $7,000,000 under "Economic Support Fund" for democracy-building efforts for Cuba supported by USAID including through published and informational material, assistance to victims of political repression and their families, support for democratic and human rights groups in Cuba, and support for independent international human rights monitors in Cuba. The conferees expect that, to the maximum extent possible, organizations implementing these programs for Cuba will be selected on a competitive basis.

The conference report does not include Senate section 699H concerning the development of justice and reconciliation mechanisms in Central Africa. This issue is addressed under the "Economic Support Fund" heading.

The conference agreement does not include section 699I of the Senate amendment calling for the Global AIDS Coordinator to make publicly available prices paid to purchase HIV/AIDS pharmaceuticals, antiviral therapies, diagnostic and monitoring tests, and other appropriate medicines, including medicines to treat opportunistic infections, for the treatment of people with HIV/AIDS and the prevention of mother-to-child transmission of HIV/AIDS in developing countries, through the use of funds appropriated under this Act and, to the extent available, by the World Health Organization and the Global Fund to Fight AIDS, Tuberculosis, and Malaria. However, the managers direct the AIDS Coordinator to make this information publicly available, including through posting on Internet web sites maintained by the Coordinator, beginning not later than 60 days after enactment of the Act.

The conference agreement does not include section 699K of the Senate amendment adding an additional $289,000,000 to the Global AIDS Initiative account. Additional funding for HIV/AIDS, tuberculosis and malaria is contained under the heading "Child Survival and Health Programs Fund" and "Global HIV/AIDS Initiative".

The conference agreement does not include section 699L of the Senate amendment regarding "International Military Training Assistance For Indonesia". This matter is addressed in section 597 of the conference report. The House did not address this matter.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2003	$23,718,563
Budget estimates of new (obligational) authority, fiscal year 2004	18,932,588
House bill, fiscal year 2004	17,163,255
Senate bill, fiscal year 2004	18,425,859

Conference agreement, fiscal year 2004	17,258,859
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2003	−6,459,704
Budget estimates of new (obligational) authority, fiscal year 2004	−1,673,729
House bill, fiscal year 2004	+95,604
Senate bill, fiscal year 2004	−1,167,000

DIVISION E—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS 2004

In implementing this agreement, the Departments and agencies should be guided by the language and instructions set forth in House Report 108–188 and Senate Report 108–81 accompanying the bill, H.R. 2660.

In the cases where the language and instructions in either report specifically address the allocation of funds, each has been reviewed by the conferees and those that are jointly concurred in have been endorsed in this joint statement.

The conferees direct that the Departments and agencies funded through this Division make a written request to the chairmen of the Committees prior to the reprogramming of funds in excess of 10 percent, or $500,000, whichever is less, between programs, activities, or elements unless an alternate amount for the agency in question is specified elsewhere in Division E of this Statement. The conferees further agree that a reprogramming request is required for actions involving less than the above-mentioned amounts if such actions would have the effect of changing an agency's funding requirements in future years or if the action can be construed to be the initiation of a new program.

The conferees reiterate that the Committees be notified regarding reorganization of offices, programs, or activities prior to the planned implementation of such reorganizations.

Finally, the conferees request that statements on the effect of this appropriation Act be submitted to the Committees within 60 days of enactment of this Act.

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004, put in place by this resolution, incorporates the following agreements of the managers:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

The conference agreement includes $5,160,654,000 for training and employment services instead of $5,077,039,000 as proposed by the House and $5,140,588,000 as proposed by the Senate. Of the amount appropriated, $2,463,000,000 is an advance appropriation for fiscal year 2004, as proposed by the House and the Senate.

The conference agreement includes $1,456,760,000 for the Dislocated Worker program as proposed by the Senate instead of $1,461,760,000 as proposed by the House. The conferees override the formula that provides that 80 percent of the funds provided

will be used for State formula grants and 20 percent for National Emergency Grants, providing $1,180,152,000 for the States and $276,608,000 for the National Reserve.

The conference agreement includes bill language giving the Secretary of Labor authority to use dislocated worker national reserve funds to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas. The conferees urge the Secretary, when determining competitive awards under this authority, to give favorable consideration to the applications of assistance to States that have sustained worker dislocation in such a manner and can demonstrate the capacity to respond effectively in a coordinated fashion across multiple sectors or local areas.

The conference agreement includes $55,000,000 for Native Americans as proposed by the House instead of $55,636,000 as proposed by the Senate.

The conference agreement includes $77,330,000 for activities authorized under Section 167 of the Workforce Investment Act, reflected in two separate line items on the table accompanying the Conference Report: 'Migrant and Seasonal Farmworkers' and 'National Activities/Other'. Under the Migrant and Seasonal Farmworkers line item, the agreement provides $76,823,000. The conference agreement includes bill language directing that $4,610,000 of this amount be used for migrant and seasonal farmworker housing grants; the conference agreement includes language further directing that not less than 70 percent of this amount be used for permanent housing grants.

Within the National Activities/Other line item, the conference agreement includes $507,000 to be used for Section 167 training, technical assistance and related activities, including continuing funding for migrant rest center activities at the current level.

The conference agreement includes $1,546,216,000 for Job Corps. Within the total, $1,416,000,000 is provided for continuing operations of the program and $130,216,000 is for renovation and construction of Job Corps centers.

The conferees recognize that New Hampshire is one of only two States in the Nation without a Job Corps Center and that it desires to open a center in the State. The conferees intend to begin providing funding for at least one new Job Corps Center in fiscal year 2005 and expect the Department of Labor to give priority consideration to applications from States currently without a Job Corps Center. Further, the conferees direct the Department of Labor to provide technical assistance to the State of New Hampshire to identify one or more sites that would be suitable for consideration for future expansion of Job Corps.

The conferees also note that the Job Corps network currently includes at least 5 existing satellite centers. The conferees are aware of entities in Iowa and other States working with local Job Corps sites to replicate this model. The conferees believe this is a low-cost option to expand the existing network and urge the Secretary to assist in the planning of new satellite centers. The Secretary shall issue a report no later than August 31, 2004 identi-

fying the barriers experienced by the existing Centers and a comprehensive plan for expanding the satellite concept.

The conferees commend Job Corps for its recent efforts to increase opportunities for participants to earn a high school diploma through the establishment of its High School Diploma Initiative (HSDI). While Job Corps' success rate to date is encouraging, significant obstacles at the State and local levels make it extremely difficult for the program to ensure that all participants, regardless of center location, have access to the opportunity to obtain a high school diploma. The conferees urge the Department of Labor, in consultation with the Department of Education, States, and local educational agencies to examine obstacles to Job Corps' participants' ability to earn and receive high school diplomas from a local educational agency.

As expressed in the 2003 statement of the managers, the conferees remain concerned with the lack of information provided regarding the performance and operation of the Workforce Investment Act. Further, the conferees remain concerned that States and local workforce investment areas lack the technology to comply with the basic performance reporting and operational requirements of WIA. Therefore, the conferees recommend that the Secretary provide States and local workforce investment areas funding to develop technology and determine its benefit to the WIA system.

The conferees take note of the recent plant closure announcements in Lorain, Ohio and direct the Secretary of Labor to give favorable consideration to the application to continue and expand support for job training, workforce and economic development initiatives implemented and delivered by Lorain County Community College at the same commitment level established in the original agreement entered into in 2000.

The conferees are impressed with the Labor Department's partnership with the Council for Adult and Experiential Learning to creatively address the Nation's shortage of nurses. The Employment and Training Administration pilot program will allow CAEL and health care partners in five cities to increase the number of Certified Nurses Aides, Licensed Practical Nurses and Registered Nurses.

With respect to the projects listed below for pilots and demonstrations, the conferees encourage the Department to ensure that these projects are coordinated with local Workforce Investment Boards. The conferees also encourage the Department to ensure that project performance is adequately documented and evaluated. The conference agreement includes the following amounts for the following projects and activities:

American Federation for the Blind for the Technology and Employment Center in Huntington, West Virginia	$1,000,000
American Indian Science and Engineering Society to provide the Rural Computer Utilization Training Program to indigenous populations in Hawaii	50,000
Antelope Valley Community College District, Lancaster, California, to provide upgrade training for new hires, incumbent and dislocated aerospace workers	100,000
Aurora Hispanic Chamber of Commerce and Waubonsee Community College, Aurora, Illinois, for Core Four Business Planning course for business training for existing business owners to expand and entrepreneurial training for new businesses	175,000

Bay Area Community Health Partnership, Green Bay, WI, for nurse training programs	350,000
Blackhawk Technical College, in Janesville, WI, to provide job training and upgrade workers' manufacturing skills	300,000
Boro Park Jewish Community Council, Brooklyn, NY, to develop a Comprehensive Employment Program	100,000
Building and Supporting Entrepreneurship of Southeast Lancaster, Lancaster, PA (BASE, Inc.) to expand educational and employment services training to out-of-school, adjudicated youth	100,000
California State University, Chico, for plastic molding machines in the Engineering School Plastics Laboratory in order to provide students with technological training to prepare them for careers in California	500,000
Career Academy, Louisville, KY, for youth education and workforce development programming	170,000
Central Alabama Community College, Alexander City, AL, Entrepreneurial Center, to assist displaced workers by providing specialized training and other needed resources to foster the growth of business	200,000
Central Iowa Employment & Training Consortium for a resource center for disabled and disadvantaged individuals	600,000
City of Jackson, TN, Disability Training Program	200,000
City of Jackson, MS, for Jackson Transition Job Project for the Homeless	120,000
City of Sacramento, CA, Sacramento Housing and Redevelopment Agency to provide a summer youth employment program	100,000
City of Suffolk, Virginia, for a feasibility study of establishing Suffolk Workforce Development Center	250,000
Closing The Gap, Lansing, MI, for technology enhancements	105,000
Collegiate Consortium for Workforce and Economic Development, Philadelphia, PA, for workforce development and training	250,000
Columbus State Community College, Columbus, OH, for the creation of an Integrated Systems Technology training program	400,000
Community College of Allegheny County, Pittsburgh, PA, to address unemployment and underemployment demands for heath care professionals	150,000
Covenant House Pennsylvania, Philadelphia, PA	75,000
Delaware Valley Industrial Resource Center, Philadelphia, PA, to perform a pilot project that will provide job training for small manufacturers and report its lessons for national implementation	100,000
Delta Council, MS, Delta Center for Career and Workforce Education	500,000
Des Moines Area Community College, IA, to continue the establishment of a Career Technology Center	200,000
Experience Works, Beaverton, Oregon, for the Rural Revitalization Through Technology Initiative	25,000
Ferris State University, Big Rapids, MI, to update equipment, staffing and to expand nationwide outreach for recruiting, articulation and continuing education	300,000
Florida Institute of Technology, Melbourne, FL, for the development of a program to assist small businesses in competing for government contracts	1,550,000
Gadsden State Community College Gadsden, AL, for the Workforce Development Program in Calhoun County	200,000
Gateway Technical College, Kenosha, WI	500,000
Hawaii Community Foundation for the Samoan/Asian Pacific Job Training Program	500,000
Heartbeats to the City, Inc., Canton, OH, for urban youth training	28,000
Hispanic/Latino Center Inc., Pittsburgh, PA, to provide workplace readiness and job skill training targeted to Hispanic workers, so that they can access job opportunities in Southwestern Pennsylvania	50,000
House of Healing, Erie, PA, to provide rehabilitation work training and employment	25,000
Idaho Women Work!, to implement the Recruiting for the Information Technology Age (RITA) initiative in Idaho	100,000

Institute for Cultural Partnerships, Harrisburg, PA, to provide for a "New Americans" Regional Center, which will include employment and legal assistance for immigrants	25,000
Institute of Retraining of Dislocated Workers, Southwestern Oregon Community College, Coos Bay, OR, to augment college programs in providing training and retraining to the unemployed, but especially older dislocated workers	25,000
InterTribal Bison Cooperative in Rapid City, SD for member training	100,000
Iowa Central Community College, Fort Dodge, IA, for vocational training	250,000
Iowa Valley Community College District, Marshalltown, IA, for a community outreach and training center	100,000
Jewish Healthcare Foundation, Pittsburgh, PA, to develop and share the best practices in health workforce recruitment, development, and retention	100,000
Jobs for America's Graduates, Alexandria, VA, for a school-to-career program	1,000,000
La Casa de Esperanza, Inc., Waukesha, WI, for weatherization training	165,000
Lake County, IL, for a summer youth employment program	200,000
Lawrence County Economic Development Office, PA, to provide for the development of a vocational center to train employees for jobs in high technology manufacturing industries	50,000
Lawson State Community College, Infrastructure and Technology Enhancements IT Training and Placement Center to expand training services for students and adult education applicants	100,000
Life Steps Foundation, Inc., Arroyo Grande, CA, for establishment of the Life Steps Foundation Rural Computer Utilization and Job Skills Training Program	250,000
Links to Individuals For Empowerment, Philadelphia, PA, to assist ex-offenders as they transition back into society with employment training skills	100,000
Louisiana National Guard Military Department, New Orleans, LA, for the Military Educational Training Enhancement Fund/Job Challenge Program	72,000
Maine Manufacturing Extension Project, Augusta, ME: For the Rapid Mobilization of New England Manufacturing Supply Chain, to provide training to the manufacturing workforce	400,000
Martha's Village and Kitchen, Indio, CA, for operational expenses	250,000
Maui Community College for the Remote Rural Hawaii Job Program	1,500,000
Maui Economic Development Board for the Maui High Technical program to get women into the technology fields	300,000
Maui Economic Development Board for the Rural Computer Utilization Training Program	300,000
Medina Works, Medina, OH, for a Building Trades Initiative—Wayne Ashland, Medina	450,000
Medina Works, Medina, OH, for healthcare professionals workforce development	220,000
Metropolitan Career Center, Philadelphia, PA, to provide job readiness training for low-income and unemployed men and women	50,000
Millinocket Area Growth and Investment Council (MAGIC), East Millinocket, ME: Project would survey area alumni to determine factors related to out-migration in rural areas throughout the State of Maine	200,000
Mississippi State University, for Robotics and Automated Systems for Nursery Industry	500,000
National Center for Manufacturing Sciences, Ann Arbor, MI	400,000
National Restaurant Association Educational Foundation, for the ProStart Institute Program	150,000
New Mexico Retail Association, Albuquerque, NM, to improve opportunities for students and out-of-school youth to successfully transition to post-secondary education and/or training careers	220,000
Northern Great Plains Incorporated for a workforce study and coordination related to the Red River Valley Research Corridor	50,000

Northwest Pennsylvania Industrial Resource Center, Erie, PA, to develop a skills standards-based assessment and certification system, which will include workforce training and development, that meets the needs of the Pennsylvania manufacturing community	100,000
Nueva Esperanza CareerLink Center, Philadelphia, PA, to provide information on job training and literacy classes, assistance with resume preparation, skill and aptitude assessment, and job vacancy announcements	100,000
Oklahoma Military Department, Oklahoma National Guard Youth Programs Division for the Thunderbird Trades Academy	100,000
Opportunities Industrialization Centers International, Philadelphia, PA, to provide technical assistance and resources to its national affiliates to increase their capacity to provide training to the unemployed and underemployed in the hospitality sector	225,000
Opportunity, Inc., Highland Park, IL, for the Handicapable employees program	100,000
People's Emergency Center, Philadelphia, PA, to provide workforce preparation and training to homeless mothers to foster economic, emotional, and family stability in their lives	100,000
Peoria NEXT initiative for training in bioscience and biotechnology industries, IL	200,000
Philadelphia Area Immigration Resource Center, Philadelphia, PA, to provide employment and legal assistance for immigrants in Southeastern Pennsylvania	75,000
Philadelphia Housing Authority to provide workforce training at the Philadelphia Housing Authorities' Workforce Development Center to prepare residents for careers in the building trades	50,000
Philadelphia Industrial Development Center to support job training and workforce development in the manufacturing sectors within Philadelphia	50,000
Potter County Educational Council, Coudersport, PA, for Opportunity Knocks program to assist single parents, teen parents, and homemakers in acquiring skills needed to enter the workforce	100,000
Pride Industries, Rosedale, CA, to create long-term jobs for persons with disabilities and other barriers to employment	250,000
Private Industry Council of Westmoreland, Greensburg, PA, to use a computer-based assessment system to assist job seekers, including Welfare to Work clients	50,000
Project One, Louisville, KY, for employment program	25,000
Reading-Berks Emergency Shelter, Reading, PA, to provide job readiness skills to employ individuals	50,000
Reinvestment Fund, Philadelphia, PA, to expand its workforce pilot program	250,000
Residential Care Consortium, Easton, PA, to help troubled teens transition into society by providing housing, education and counseling	550,000
Riverside Center for Innovation, Pittsburgh, PA, for programs which are helping small businesses and start-ups in Allegheny County	100,000
San Diego Workforce Partnership, San Diego, CA, to enhance the Workforce Partnership's English as a Second Language programs	125,000
Seattle STRIVE to provide job readiness skills to hard-to-employ individuals	100,000
Second Chance Employment Services, Washington, DC, for a demonstration program to help at-risk women and victims of abuse obtain long-term jobs	150,000
Sephardic Bikur Holim Career and Employment Training in Brooklyn, NY	100,000
Shelton State Community College, Electronic and Technical Training, to continue advanced training program and to provide for procurement of software and curriculum development to meet growing industry needs in Alabama	100,000
Southern Star Development Corporation, Louisville, KY	20,000

SUNY College of Environmental Science and Forestry, Syracuse, NY, for technical education and job training component of the SPARE program	100,000
The Joblinks program for continuation costs	500,000
Tides Center of Western Pennsylvania, for Keys2Work Program	150,000
Tioga County Development Corporation, Wellsboro, PA, to assist employers in certification training program for their workforce in a variety of production and operations procedures	150,000
Transit Technology Career Ladder Partnership, Silver Spring, MD, to provide for a joint labor-management initiative developed by the Community Transportation Development Center focusing on bus mechanics, rail car mechanics, and underground power systems	100,000
Tri-State University in Angola, IN, for the Center for Technology and On-Line Resources	50,000
United Way of Dane County, Madison, WI, for computer training at the Vera Court Neighborhood Center	35,000
University of Alabama in Huntsville to establish the necessary infrastructure for a Southeast Automotive Transportation Lean Manufacturing Initiative to support the expanding automotive industry in Alabama	200,000
University of Dayton for the Shared Corporate University and manufacturer's Business Utility programs for e-learning and e-training packages	300,000
University of Hawaii at Maui for training and education opportunities for Hawaiians living in rural areas	1,800,000
University of Idaho to continue and expand the Alternative Careers for Idaho Farmers (ACIF), to help those dislocated from agriculture to make the difficult shift to an alternative career	850,000
University of Northern Iowa Immigration Services for Iowa Communities	259,000
University of the Pacific, Stockton, CA, for operating funds for a Business Forecasting Center	500,000
University of Toledo for the Center for Capacity-Building in Construction for Disadvantaged Business Enterprises and Workers program to increase the supply of historically disadvantaged segments of the Northeast Ohio workforce	300,000
Vermont Child Care Industry and Careers Council for a Childcare Apprenticeship Project	300,000
Vermont Technical College in Randolph, VT, to develop workforce investment strategies that best fit the business needs of the State	600,000
Washington Workforce Association for the In-Demand Scholars program	400,000
Wisconsin Network for Women and Work, Janesville, WI, for Information Technology training	100,000
Women Work—RITA (Recruiting for the Information Technology Age), PA, for workforce training and development for women in the information technology sector	50,000
Work, Achievement, Values, and Education, Washington, DC, to provide workforce training programs for those that face a life of chronic unemployment	50,000
Workforce Investment Board for Aroostook and Washington Counties, Caribou, ME, for career training via the Northern Maine Healthcare Sector Group Training Project	250,000
Wrightco Technologies, Claysburg, PA, for programs in technical training school	200,000
YWCA of Bucks County, Trevose, PA, to continue the Employment Training Program	100,000
YWCA of Madison, Inc., Madison, WI, for a Certified Nursing Assistant training program for low-income individuals	30,000

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

The conference agreement appropriates $441,253,000 for Community Service Employment for Older Americans, instead of

$440,200,000 as proposed by the House and $442,306,000 as proposed by the Senate.

FEDERAL UNEMPLOYMENT AND BENEFITS ALLOWANCES

The conference agreement includes a technical correction to both House and Senate Trade Act language to clarify that amounts needed to pay benefits under the Alternative Trade Adjustment Assistance program are included in the appropriation. The conference agreement includes $7,000,000 for the State of Alaska for training of displaced workers who can no longer earn a living in industries adversely affected by foreign trade.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICES OPERATIONS

The conference agreement appropriates $3,609,381,000 for State Unemployment Insurance and Employment Service Operations, instead of $3,615,381,000 as proposed by the House and $3,620,552,000 as proposed by the Senate.

The conferees expect the Department of Labor to continue to allocate fiscal year 2004 funds for the Workforce Information Core Products and Services through formula grants to the States.

The conferees urge the Department of Labor to study the impact of using alternate criteria for the allotment of grants to States for the administration of Federal and State unemployment compensation laws. The criteria used in this study shall include the relative proportion of unemployed individuals in each State and the relative proportion of the total civilian labor force in each State. The Department shall be prepared to submit the results of this study to the Congress at the fiscal year 2005 budget hearings. The conferees are requesting this study in order to assess the need for a new formula so that States are not penalized for keeping administrative costs at a minimum through the use of technology and other innovations.

PROGRAM ADMINISTRATION

The conference agreement appropriates $173,644,000 for Program Administration, instead of $172,327,000 as proposed by the House and $178,961,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

The conference agreement appropriates $124,962,000 for the Employee Benefits Security Administration, instead of $128,605,000 as proposed by the House and $121,316,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement appropriates $394,908,000 for the Employment Standards Administration, salaries and expenses, instead of $397,753,000 as proposed by the House and $392,061,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

On October 3, 2003, the Department of Labor published a final rule on union reporting and disclosure under the Labor Management Reporting and Disclosure Act (LMRDA). The conferees are concerned that the Department has not yet produced the electronic LM–2 software that it will require unions to use and has not yet produced to unions the software necessary for unions to export data from their newly revised accounting and record-keeping systems to the new electronic LM–2 forms. The conferees therefore urge that the Department make available this software as expeditiously as possible to determine whether this software, together with union accounting and record-keeping systems, will actually work as is intended and designed.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $460,786,000 for the Occupational Safety and Health Administration instead of $450,008,000 as proposed by the House bill and $463,324,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the total, $3,200,000 is to be used to extend funding for Institutional Competency training grants provided that the grantee has demonstrated satisfactory performance.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $270,826,000 for the Mine Safety and Health Administration instead of $266,767,000 as proposed by the House bill and $270,711,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the total, the conference agreement includes $2,000,000 to be available for mine rescue and recovery activities on a non-contingency basis as proposed by the Senate.

The conferees are concerned about recent GAO findings that raise serious questions about the quality of enforcement of the Mine Act by MSHA. Specifically, the conferees are concerned that MSHA is experiencing staffing and informational systems problems that hinder its ability to fulfill its inspection and investigation obligations. The conferees expect MSHA to develop an agency-wide human capital plan to address current and future inspector shortages, including recruiting and training needs. The conferees also expect the agency to develop a comprehensive plan to address in-

formation technology needs regarding injury rates, accident investigations, and timely inspections, including the collection of contractor data.

The conference agreement includes the following amounts for the following projects and activities:

National Technology Transfer Center for a coal slurry impoundment pilot project in Southern West Virginia	$1,000,000
Stolar Research Corporation to further develop and demonstrate electromagnetic wave detection technology associated with drill string radar to prevent mine flooding incidents	100,000

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

The conference agreement includes $522,198,000 for the Bureau of Labor Statistics instead of $512,262,000 as provided by the House bill and $520,223,000 by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the total for the Employment and Unemployment Statistics activity, $5,000,000 is for the Mass Layoff Statistics program. Similar language was included in the Senate bill.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

The conferees have included $2,500,000 within the Office of Disability Employment Policy to continue the telework efforts already initiated by ODEP. This can include expansion of pilot programs already underway and/or initiation of new telework pilots. ODEP should proceed in an expeditious manner to create telework positions in cooperation with Federal and State agencies. Priority should be given to strategies judged likely to yield the largest numbers of telework positions for people with disabilities.

The conferees have included sufficient funds to continue the structured internship program for undergraduate college students with disabilities.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes $352,830,000 for Departmental Management, salaries and expenses, instead of $253,018,000 as proposed by the House bill and $351,609,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes $110,650,000 for the Bureau of International Labor Affairs (ILAB). Within the total provided, $82,000,000 is to assist developing countries with the elimination of child labor. Of this amount, $45,000,000 is for the International Labor Organization's International Programme for the Elimination of Child Labor. In addition, $37,000,000 is provided for bilateral assistance, made available through September 30, 2004, to improve access to basic education in international areas with a

high rate of abusive and exploitative child labor. The conference agreement further includes $2,500,000 for bilateral and multilateral technical assistance, to be used to promote the International Labor Organization's Declaration of Fundamental Principles and Rights at Work. Given the increasing focus on the social impact of globalization, the U.S. Government has an interest in assisting nations who want to develop and/or implement core labor standards, including the right of free association. The conference agreement includes $5,000,000 for ILAB to build its own permanent capacity to monitor and report regularly and in-depth to the Congress on the extent to which foreign countries with trade and investment agreements with the United States respect internationally-recognized worker rights and effectively promote core labor standards. The conference agreement also includes $11,000,000 for Federal administration and other ILAB programs.

The conference agreement includes $10,000,000 for the purpose of assisting the International Labor Organization in implementing a program to confront HIV/AIDS in the workplace. The primary purpose of this program shall be to promote workplace policies which combat HIV-related stigma and discrimination, and promote prevention on the basis of tripartite partnerships among workers, employers and governments around the world. The conferees direct that the Secretary shall designate a full-time coordinator to oversee these efforts and coordinate with the various agencies conducting international HIV/AIDS programs. The conferees further direct that the Secretary submit a report to the Committees by August 31, 2004 detailing the challenges faced and progress made in implementing anti-discrimination policies in each of the countries that are engaged by this effort.

The conference agreement includes the following amount for the following project:

International Center on Child Labor and Education	$150,000

The conferees strongly support the Buy American Act, which was enacted in 1933 to ensure that the Federal government supports domestic companies and domestic workers by buying American-made goods. The Act includes a number of waiver provisions that allow Federal agencies to buy foreign goods in some circumstances, but there is little disclosure or accountability in the waiver process. The conferees, therefore, direct the Secretary to issue a report not later than 60 days after the last day of fiscal year 2004 on the amount of acquisitions made by the Department during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the department that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States.

VETERANS EMPLOYMENT AND TRAINING

The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees. Within the total, the conferees have provided $162,415,000 for State administration as proposed by the House instead of breaking this funding between Disabled Veterans Outreach and Local Veterans Employment as proposed by the Senate.

WORKING CAPITAL FUND

The conference agreement includes $13,850,000 for the Working Capital Fund, instead of $18,000,000 as proposed by the House bill and $9,700,000 as proposed by the Senate.

GENERAL PROVISIONS

EXECUTIVE ORDER 13126

The conference agreement includes a provision proposed by the Senate that none of the funds appropriated in this Act shall be obligated or expended for the procurement of goods produced by forced or indentured child labor. The House bill contained no similar provision.

DENALI COMMISSION

The conference agreement includes a provision proposed by the Senate that authorizes to be appropriated such sums as may be necessary to the Denali Commission to conduct job training where Denali Commission projects will be constructed. The House bill contained no similar provision.

WELFARE-TO-WORK

The conference agreement modifies a provision proposed by the Senate that rescinds funds appropriated for fiscal year 1999 for the welfare-to-work program. The conference agreement rescinds any amounts allotted to the States from funds appropriated for fiscal year 1999 for the Welfare-to-Work program that are unexpended as of the date of enactment of the section, except for certain close out costs. Unexpended funds would consist of funds allotted to the States that are unobligated by the States, or obligated by the States, but not expended. Only funds to pay for goods and services that have already been provided as of the date of enactment are generally considered expended. Grantees would be required to terminate any agreements providing for the provision of goods and services beginning after the date of enactment unless alternative funding sources are identified.

Since this rescission would accelerate the termination of the Welfare-to-Work grants to the States that are all due to expire during fiscal year 2004, the provision does not rescind funds that the Secretary of Labor determines are necessary for the States to carry out administrative activities relating to closeout. Such costs could include such items as penalties for early termination of leases, and personnel costs relating to the final reporting and closeout of grant activities. Authority is also provided in this provision for the Sec-

retary of Labor to take necessary actions to facilitate the orderly and equitable closeout of the State grants, notwithstanding the programmatic requirements of the Welfare-to-Work program.

The conferees expect the Employment and Training Administration to assist States in establishing a transition process to help the remaining welfare-to-work participants easily and seamlessly assimilate into Workforce Investment Act programs that allow them to continue to receive assistance.

OVERTIME REGULATION

The conference agreement deletes without prejudice language proposed by the Senate that none of the funds appropriated in this Act shall be used to promulgate or implement any regulation that exempts employees from the Fair Labor Standards Act of 1938. The House did not include this provision.

ETA OFFICE CLOSINGS

The conference agreement deletes without prejudice language proposed by the Senate that the Secretary shall cease closing ETA regional offices. The House bill contained no similar provision.

The conferees remain concerned about the Department's regional office reorganization. The conferees, therefore, urge the Department to maintain the current office structure of the Employment and Training Administration Offices.

PERSONAL DUST MONITORS

The conference agreement includes language proposed by the Senate that the Secretary shall re-propose a rule on respirable coal dust following the successful demonstration of personal dust monitors. The House bill contained no similar provision.

HAMILTON COUNTY ONE STOP CENTER

The conference agreement includes a provision transferring all federal interest in a State of Ohio Employment Services Office to Hamilton County, Ohio.

NEW ENTRANTS

The conference agreement includes a provision to permit youth, ages 14 through 17, who by statute or judicial order are exempt from compulsory school attendance beyond the eighth grade, to work inside or outside places of business where machinery is used to process wood products. The youth would be permitted to perform activities such as sweeping, stacking wood, and writing orders. Safety provisions include prohibiting the youth from operating machinery, and requiring the use of eye and body protections.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The conference agreement includes $6,727,937,000 for health resources and services, of which $6,698,437,000 is provided as budget authority and $29,500,000 is made available from the Public Health Service policy evaluation set-aside, instead of $6,252,256,000 as proposed by the House and $5,964,824,000 as proposed by the Senate.

The conference agreement includes two technical bill language citations for sections 510 and 711 of the Social Security Act. Section 510 had not been included in the House bill; section 711 had not been included in the Senate bill.

The conference agreement includes bill language that was not included in either House or Senate bill providing $367,563,000 for construction and renovation (including equipment) of health care and other facilities, abstinence education, related services and other health-related activities. These funds are to be used for the following projects:

10/33 Ambulance Service, Ltd., Spring Valley, IL	$75,000
19th Judicial District Drug Court, Baton Rouge, LA, for the Earl K. Long Hospital	72,000
Aberdeen Area Tribal Chairmen's Health Board in Rapid City, South Dakota for Northern Plains Healthy Start	400,000
Achievement Centers for Children, Cleveland, OH	200,000
Adirondack Medical Center, Saranac Lake, NY	200,000
Advanced Technology Institute, North Charleston, SC	200,000
Akron Children's Hospital, Akron, OH for equipment	970,000
Alaska Family Practice Residency Program	500,000
Albert Einstein Healthcare Network (AEHN), Philadelphia, PA for construction, renovation, and equipment	1,000,000
Aliquippa Community Hospital, Aliquippa, PA for construction	500,000
All Children's Hospital, Inc., St. Petersburg, FL	1,000,000
Alleghany Memorial Hospital, Sparta, NC	125,000
Allegheny General Hospital, Cardiovascular Institute, Pittsburgh, PA for construction, renovation, and equipment	1,000,000
Allegheny Singer Research Institute, Center for Genomic Sciences, Pittsburgh, PA for construction, renovation, and equipment	1,000,000
Allen Memorial Hospital, Moab, UT for construction	100,000
Altoona Area School District, Altoona, PA, for construction of a wellness center	150,000
American Museum of Natural History, New York, NY	500,000
American Red Cross, Frederick County Chapter, Walkersville, MD	400,000
Appalachian Pain Foundation, Charleston, WV, for equipment and curriculum development	129,000
Appalachian Regional Healthcare, Lexington, KY for healthcare services in rural areas	250,000
Arnold Palmer Hospital for Children and Women, Orlando, FL	550,000
Asante Health System to implement an integrated technology system and demonstrate its impact on rural health delivery	75,000
Ashland Community Hospice, Ashland, KY for construction, renovation, and equipment	400,000
Association for Individual Development, Aurora, IL	3,200,000
Association for Utah Community Health, Salt Lake City, UT to link rural, frontier and urban medically underserved sites for telemedicine	200,000
Association of Utah Community Health, Salt Lake City, UT for equipment	1,000,000
Atlantic City Medical Center, City Division, Atlantic City, NJ	500,000

Atlantic Health Systems/Morristown Memorial Hospital, Florham Park, NJ	500,000
Baptist Coosa Valley Hospital, Sylacauga, AL	500,000
Baptist Medical Center Walker, Jasper, AL, to establish a Thoracic Surgery program	150,000
Barnes-Jewish St. Peters Hospital, St. Peters, MO	200,000
Barry University, Miami, FL, for the Institute for Community Health and Minority Medicine	650,000
Bassett Healthcare, Cooperstown, NY	616,000
Bay Area Medical Center Foundation, Marinette, WI	750,000
Bay Clinic Community Health Center, Hawaii to establish a mental health clinic for women	50,000
BayCare Health System, Clearwater, FL, for a demonstration project to develop an electronic medication and clinical services ordering system for physicians	1,000,000
Baylor College of Medicine, Houston, TX	750,000
Bear Lake Memorial Hospital, Montpelier, ID	400,000
Best Friends Foundation, Washington, DC, for abstinence education activities	50,000
Bethune Cookman College, Daytona Beach, FL	500,000
Big Horn County Memorial Hospital, Hardin, MT for construction and renovation	400,000
Boone County Government Center, Columbia, MO, for construction of a healthcare facility	250,000
Boston College, Chestnut Hill, MA, for renovations to Higgins Hall medical research facilities	275,000
Bowling Green—Warren County Primary Care Center, Bowling Green, KY for construction and equipment of a new primary care facility	400,000
Boys Town National Research Hospital, National Center for Pediatric Hearing Evaluation Research and Dissemination in Omaha, Nebraska	1,000,000
Brazos Valley Family Medical Center, Bryan, TX	100,000
Briar Cliff University, Sioux City, IA	50,000
Broadlawns Medical Center in Des Moines, Iowa to renovate the emergency room	1,000,000
Brookville Hospital, Brookville, PA	100,000
Cabot Westside Clinic, Kansas City, MO for construction	500,000
Caldwell County Free Clinic, Murray, Kentucky, to expand primary care services to working poor families	250,000
Camillus House, Inc., Miami, FL	167,000
Cancer Network of West Central Ohio, Lima, OH	1,250,000
Canonsburg General Hospital, Canonsburg, PA	300,000
Cape Cod Hospital, Hyannis, MA, for pediatric center renovation and expansion	100,000
Capitol City Family Health Center, Inc., Baton Rouge, LA	71,000
Cardinal Stritch University, Milwaukee, WI to renovate Bonaventure Hall to expand nursing education programs	400,000
Carilion Health System, Roanoke, VA	520,000
Caritas St. Elizabeth's Medical Center, Boston, MA, for constructon of new emergency department facilities	450,000
Carnegie Mellon University, Pittsburgh, PA for equipment	1,000,000
Carolinas Medical Center, Trauma Intensive Care Unit, Charlotte, NC	980,000
Carondelet Foundation of Arizona, Tucson, AZ for the Carondelet St. Mary's Hospital	800,000
Case Western Reserve University, Cleveland, OH, for a Center for Structural Biology	750,000
Case Western Reserve University, Cleveland, OH, for Netwellness	500,000
Case Western Reserve, Cleveland, OH, for Regenerative Medicine	500,000
Cass Medical Center, Pleasant Hill, MO for construction	150,000
Catholic Social Services, The Bridge, Wilkes Barre, PA for abstinence education and related services	46,000
Center for Emergency Preparedness, SUNY Upstate Medical University, Syracuse, NY	1,000,000
Center for Innovation in Behavioral Health at Alliant International University, San Diego, CA	400,000

Center for the Disabled, Albany, NY, for a center in Saratoga Springs	200,000
CentraCare Health Foundation, St. Cloud, MN for a nurse training program	500,000
Central New York Ear, Nose & Throat Consultants, Syracuse, NY	35,000
CentraState Health Care System, Freehold, NJ	800,000
Centre Volunteers in Medicine, State College, PA to provide primary health care to the uninsured of Centre County	125,000
Charles Cole Memorial Hospital, Coudersport, PA	100,000
Charles Drew Health Center, Inc., Omaha, NE	100,000
Cherry Street Health Services, Grand Rapids, MI	230,000
Chester County Health Department, Chester County Government Services Center, West Chester, PA for abstinence education and related services	41,000
Chicago Medical School, Northern Chicago, IL	250,000
Child & Family Services, Capital Area's Angel House Project, Lansing, MI	197,000
Child Neurology Society, Saint Paul, MN to encourage health professionals to enter the practice of child neurology	25,000
Children's Health Fund of Mississippi to provide health care (both in a stationary clinic and a mobile van clinic) to underprivileged children in a rural, underserved area of the Mississippi Delta	400,000
Children's Hospital and Health Center, San Diego, CA	425,000
Children's Hospital Central California, Madera, CA	200,000
Children's Hospital Medical Center, Akron, OH	1,500,000
Children's Hospital of Philadelphia, Philadelphia, PA for equipment	500,000
Children's Hospital of Pittsburgh, Pittsburgh, PA for construction, renovation, and equipment	500,000
Children's Hospital of the King's Daughters Health System, Inc., Norfolk, VA	400,000
Children's Hospital, Columbus, OH	250,000
Children's Medical Research Institute, Pediatric Diabetes Research Program, Oklahoma City, OK	450,000
Children's Memorial Hospital and Children's Memorial Institute for Education and Research, Chicago, IL for construction, renovation, and equipment	125,000
Children's Memorial Hospital and Children's Memorial Institute for Education and Research, Chicago, IL, for a new wing	925,000
Children's Specialized Hospital, Hamilton, NJ	75,000
Children's Specialized Hospital, Mountainside, NJ	1,000,000
Children's Specialized Hospital, Mountainside, NJ, for outpatient clinic of the Children's Specialized Hospital in Fanwood, NJ	100,000
Chippewa Valley Technical College in Eau Claire, Wisconsin to renovate and expand the Health Education Center	350,000
Cincinnati Children's Hospital, Cincinnati, OH for equipment	640,000
City of Chester, Bureau of Health, SABER Project, Chester, PA for abstinence education and related services	105,000
City of El Paso, Texas, Border Health Medical Complex for construction, renovation, and equipment	250,000
City of Homestead, Florida, for the William F. "Bill" Dickinson Senior Center	375,000
City of Milwaukee Health Department, Milwaukee, WI for a pilot program providing health care services to at-risk children in day care	580,000
Clackamas County Public Health Division, Oregon City, OR, for construction and equipment	50,000
Clark State Community College, Springfield, OH	550,000
Clearwater Valley Hospital and Clinics, Inc., Orofino, ID for equipment	500,000
Cleveland Clinic Foundation, Cleveland, OH, for Minority Men's Health Center	1,000,000
Cleveland Clinic Foundation, Cleveland, OH, for Heart Center project	2,000,000
Clinton Memorial Hospital Regional Hospital, Wilmington, OH	700,000
Colby Community College, Colby, KS	250,000

Cold Spring Harbor Laboratory in New York for a Women's Cancer Genomics Center	1,000,000
Colorado State University, Fort Collins, CO	1,850,000
Commun-I-Care, Columbia, SC, to support a program that distributes prescription drugs to low income, uninsured South Carolinians	500,000
Community College of Southern Nevada, Las Vegas, NV to construct a new health sciences building	500,000
Community Free Clinic of Decatur-Morgan County, Inc., Decatur, AL	50,000
Community Health Access Project, Mansfield, OH, to expand their program to assist pregnant woman	176,000
Community Health Centers in Iowa	600,000
Community Health Centers of Colorado, Denver, CO for renovation and construction	500,000
Community Health Centers of Jefferson Parish, River Ridge, LA	100,000
Community Health Centers of Pinellas, Inc., St. Petersburg, FL	1,250,000
Community HealthCare Association of the Dakotas in Sioux Falls, South Dakota to integrate information systems of CHCs and FQHCs in the Dakotas	250,000
Community Medical Center Healthcare System, Scranton, PA for equipment	250,000
Community Memorial Hospital in Staunton, IL for construction and equipment	150,000
Community Nurses, Inc., St Marys, PA, for a telehealth project in six communities	100,000
Community Prevention Partnership of Berks County, Nurse Family Partnership Program, Reading, PA for a program to aid in healthy outcomes for pregnant low-income mothers	150,000
Condell Medical Center, Libertyville, IL	200,000
Conemaugh Health System, Johnstown, PA for equipment	400,000
Cook Inlet Tribal Council, Inc. for construction of health care facilities for Alaska natives in the Anchorage area	4,000,000
Cooley Community Hospital, Grand Coulee, WA	250,000
Cooper Green Hospital, Birmingham, AL for equipment	200,000
Copper Queen Community Hospital, Bisbee, AZ	1,000,000
Corry Memorial Hospital, Corry, PA for equipment	200,000
County Commission of Raleigh County, West Virginia to complete the Educational Mall facility in Beckley, WV	4,000,000
Coushatta Tribe of Louisiana, Jefferson Davis Parish, Louisiana for a tribal wellness center	850,000
Crouse Hospital, Syracuse, NY	400,000
Crozer Keystone Health System, Upland, PA for ChesPenn Health Services to provide medical services to the most impoverished and medically needy	100,000
Cumberland University, Lebanon, TN for construction, renovation, and equipment	175,000
Cuyahoga Community College, Cleveland, OH	300,000
Dana-Farber Cancer Institute, Boston, MA, for the design and construction of a clinical care and research facility	575,000
Dartmouth-Hitchcock Medical Center, Lebanon, NH, for construction and equipment	1,000,000
Dauphin County Department of Human Services, Dauphin County, PA to provide mobile health clinics in Dauphin County	100,000
Deaconess Billings Clinic, Northwest Area Center for Studies on Aging, Billings, MT for a program to manage chronic illness in the rural aging population	750,000
Delaware Valley Community Health, Inc., Philadelphia, PA for construction, renovation, and equipment at the Maria de los Santos Community Health Center	100,000
Delta Dental Plan of South Dakota in Pierre, SD for equipment for a dental care mobile van	200,000
Delta Health Center, Mound Bayou, MS for construction, renovation, and equipment at the community health center in Greenville, MS	115,000

Delta State University, Cleveland, MS for the Delta Health Alliance, a multi-university partnership to address delta health problems	1,800,000
Detroit-Wayne County Health Authority of Michigan to assess regional healthcare best practices initiatives	500,000
Diakon Lutheran Social Ministries, Mechanicsburg, PA for abstinence education and related services	136,000
Diakon Lutheran Social Ministries, Topton, PA for abstinence education and related services	95,000
Domestic Violence Project, Inc., Canton, OH	390,000
Door of Hope, Madisonville, KY for abstinence education and related services	100,000
Dr. Arenia C. Mallory Community Health Center, Inc., Lexington, MS for rural women's health services	400,000
DuBois Regional Medical Center, DuBois, PA	300,000
East Tennessee Children's Hospital, Knoxville, TN	200,000
East Tennessee State University James H.Quillen College of Medicine, Johnson City, TN	500,000
Eastern Connecticut Health Network, Manchester, CT	300,000
Eastern Oregon University Rural Frontier Delivery Program for continuation and expansion of a program that provides educational sources and training for nurses who live and work in rural communities	100,000
Eastern Shore Rural Health System, Inc., Nassawadox, VA	350,000
Ed Roberts Campus in Berkeley, CA for a clinic and rehabilitation center for people with disabilities	500,000
Edgemoor Hospital, Santee, CA	500,000
Elliot Hospital, Manchester, NH	1,000,000
Englewood High School, Chicago IL, for a clinic	1,500,000
Ephrata Community Hospital, Ephrata, PA	300,000
Erie County Medical Center, Buffalo, NY for construction, renovation, and equipment	500,000
Excelsior Springs Medical Center Outpatient and Wellness Clinic, Excelsior Springs, MO	769,000
Fairbanks Community Clinic, Fairbanks, AK	650,000
Fairbanks Memorial Hospital, Fairbanks, AK for construction and equipment	1,200,000
Fairview Health System, Minneapolis, MN for an electronic medical record system	100,000
Family Health Council, Inc., Seneca, PA	100,000
Florida A&M University for a Center for Community Health	800,000
Florida Cancer Research Cooperative, University of South Florida, Tampa, FL	500,000
Florida Emergency Medicine Foundation, Orange County, FL	100,000
Florida Hospital College of Health Sciences, Orlando, FL	100,000
Forbes Regional Hospital, Monroeville, PA	500,000
Foundation for eHealth Initiative, Washington, DC	3,000,000
Fox Chase Cancer Center and The University of Maryland Greenebaum Cancer Center for the American Russian Cancer Alliance to establish a long term collaborative program for research, clinical activities and education	650,000
Fox Chase Cancer Center, Philadelphia, PA for construction, renovation, and equipment	750,000
Franklin and Marshall College, Lancaster, PA for construction, renovation, and equipment	400,000
Franklin County Memorial Hospital, Meadville, MS	250,000
Free Clinic of Doylestown, PA	200,000
Free Clinic of Owensboro, Owensboro, KY for healthcare services in rural areas	100,000
Free Clinics of Iowa in Des Moines to support a network of free clinics	100,000
Gateway Healthcare, Inc, Pawtucket, RI for construction, renovation, and equipment	100,000
Geer Woods, Inc., Canaan, CT	700,000
Geisinger Health System, Danville, PA, for the catheterization lab at the Geisinger Wyoming Valley Heart Hospital	500,000
Geisinger Health System, Danville, PA, to construct the Center for Health Research	1,000,000

George Mason University Krasnow Institute, Fairfax, VA	225,000
George Washington Carver Community Center, Project A.C.E., Norristown, PA for abstinence education and related services	86,000
Georgia Infirmary, Inc., Savannah, GA	50,000
Georgia Southern University, Statesboro, GA, for rural nursing and nursing education outreach programs	275,000
Georgia State University, Atlanta GA	150,000
Gilda's Club Northern New Jersey, Hackensack, NJ	500,000
Glens Falls Hospital, Glens Falls, NY	600,000
Good Samaritan Health Systems, Kearney, NE for the Mid-Nebraska Telemedicine Network	350,000
Good Samaritan Hospital, Cardiac Catheterization Laboratory, Lebanon, PA for construction, renovation, and equipment	250,000
Good Shepherd Hospital, Allentown, PA for construction, renovation, and equipment	250,000
Goodwin Community Health Center, Brunswick, GA, for the Coastal Medical Access Project	300,000
Graduate Education and Applied Research Foundation in Sioux Falls, South Dakota to construct the Center for Graduate Education and Applied Research	2,000,000
Great Mines Health Center, Potosi, MO to expand health services in the community	250,000
Green River Medical Center, Green River, UT for construction, renovation, and equipment	50,000
Greenville Hospital System, Greenville, SC to improve critical care in rural areas through e-ICU/Telemedicine technology	500,000
Grossmont Hospital Foundation, La Mesa, CA	750,000
Guidance Center, project RAPPORT, Ridgway, PA for abstinence education and related services	74,000
Gulf Coast Jewish Family Services, Inc., Clearwater, FL	500,000
H. Lee Moffitt Cancer Center & Research Institute, Tampa, FL	3,000,000
Hackensack University Medical Center, Hackensack, NJ	100,000
Hackettstown Community Hospital, Hackettstown, NJ	200,000
Hand County Memorial Hospital in Miller, South Dakota for renovation and equipment	50,000
Harris Regional Hospital, Sylva, NC	250,000
Hawaii Primary Care Association to educate community health centers in utilizing telehealth equipment	400,000
Heart Beat, Millerstown, PA for abstinence education and related services	51,000
Helping Hands Health Clinic, Elkton, KY for healthcare services in rural areas	100,000
Hi-Desert Medical Center, Joshua Tree, CA	750,000
Hillcrest Health System, Tulsa, OK for inner city clinic	570,000
Hillsdale Community Health Center, Hillsdale, MI	58,000
Holmes County Board of Supervisors for construction of the Robert G. Clark Health Complex, Lexington, MS	400,000
Holy Cross Hospital, Ft. Lauderdale, FL	300,000
Holy Name Hospital in Teaneck, NJ for an Emergency Room	300,000
Holy Redeemer Health System, Philadelphia, PA for construction, renovation, and equipment	100,000
Hope Hospice for Southwest Florida, Ft. Myers, FL	600,000
Hopewell Therapeutic Farm Community, Mesopotamia, OH	390,000
Horn Memorial Hospital, Ida Grove, IA	200,000
Hospice and Palliative Care, Inc., New Hartford, NY	40,000
Hudson Headwaters Health Network, Glen Falls, NY	200,000
Hunterdon County Medical Center, Flemington, NJ	300,000
Huntsville Hospital, Huntsville, AL	400,000
Hutcheson Medical Center, Inc., Ringgold, GA	500,000
Idaho Commission on Nursing and Nursing Education, Idaho Falls, ID, to initiate the Nursing Leadership and Workforce Network project	250,000
Idaho State University, Pocatello, ID for the Idaho Telehealth Integrated Care Center	1,500,000
Inland NW Health System in Spokane, WA, to provide online telepharmacy services to rural hospitals and clinics	750,000
Inova Health System, Falls Church, VA, for the Claude Moore Health Education Center	450,000

Institute for Cancer Prevention in New York, NY for facility improvements and equipment	3,000,000
Integris Baptist Regional Health Center, Women's Center, Miami, OK for construction and equipment	400,000
INTEGRIS Canadian Valley Regional Hospital, Yukon, OK	600,000
INTEGRIS Health, Oklahoma City, OK for the Rural Oklahoma Telemedicine Expansion program	75,000
Iowa Caregivers Association for training and support of certified nurse assistants	100,000
Iowa Department of Public Health to continue the Center for Healthcare Workforce Shortages	775,000
J. Joseph Moakley Medical Services Building, Boston Medical Center, Boston, Massachusetts	800,000
Jackson Health System, Miami, FL, for the Center for Patient Safety	125,000
Jackson State University, Jackson, MS to develop a Southern Institute for mental health research and training	1,000,000
James Whitcombe Riley Hospital for Children, Indianapolis, IN	200,000
Jefferson Comprehensive Health Center, Fayette, MS for construction and equipment	115,000
Joel Pomerene Hospital, Millersburg, OH	750,000
Jordan Valley Community Health Center, Springfield, MO	315,000
Jordan Valley Community Health Center, Springfield, MO to expand health services in the community	200,000
Kansas State University, Manhattan, KS, for equipment	500,000
Kauai Community Health Center in Hawaii to set up a satellite clinic	50,000
Kaweah Delta Health Care District, Visalia, CA	500,000
Kent County Visiting Nurses Association (VNA Care New England), Warwick, RI, to provide laptop computers for home health nurses	100,000
Kentucky Communities Economic Opportunity Council, Inc., Barbourville, KY	225,000
Keystone Central School District, Central Mountain Middle School East, Mill Hall, PA for abstinence education and related services	79,000
Keystone Economic Development Corporation, Johnstown, PA for abstinence education and related services	88,000
Keystone Health Center, Chambersburg, PA	100,000
KidsPeace Children's Hospital, Orefield, PA	300,000
KidsPeace of Georgia, Orefield, PA	500,000
Klamath Health Partnership, Klamath Falls, OR for construction, renovation, and equipment	50,000
Knox Community Hospital, Mt. Vernon, OH	800,000
Knox County Senior Citizen's Home Assistance Service Broadway Center, Knoxville, TN	200,000
Kuakini Hospital Research Facility for renovation and expansion	50,000
L.V.C.P.T.P., St. Luke's Health Network, CHOICE program, Bethlehem, PA for abstinence education and related services	92,000
La Crosse Medical Health Science Consortium, La Crosse, WI to expand the Virtual Health Center program to additional counties in Wisconsin	275,000
Lackawanna College, Scranton, PA, for construction, renovation and equipment	350,000
Lackawanna Trail School District, Factoryville, PA for abstinence education and related services	74,000
Lake Erie College of Osteopathic Medicine, Erie, PA	434,000
Lake Erie Research Institute, Inc., Girard, PA for equipment	25,000
Lancaster General Women & Babies Hospital, Lancaster, PA for equipment	250,000
Landmark Medical Center, Woonsocket, RI for construction, renovation, equipment	600,000
Lane County Public Health Facilities will use the funds to expand and enhance its public health facilities to better respond to public health crises including acts of bioterrorism	75,000
Langlade Memorial Hospital in Antigo, Wisconsin for a four-county dental project	300,000
Langston University, Langston, OK	300,000

Lapeer Regional Hospital, Lapeer, MI	15,000
LaSalle University, Philadelphia PA for abstinence education and related services	112,000
Lawrence General Hospital, Lawrence, MA, for emergency and surgical department expansion	100,000
Le Bonheur Children's Medical Center, Memphis, TN for a pediatric mobile unit—CHAMPS	1,200,000
Lehigh Valley Hospital, Allentown, PA for construction, renovation, and equipment	750,000
Life Enrichment Center, Shelby, NC, for Kings Mountain Center	50,000
Life with Cancer-Inova Fairfax Hospital, Falls Church, VA	500,000
Little Flower Free Clinic, Hazard, KY for healthcare services in rural areas	100,000
Lodi Community Hospital, Lodi, OH	2,000,000
Louisiana State University Health Sciences Center in Shreveport to expand its clinical initiatives that focus on the Brain Institute of the South	500,000
Louisiana State University Health Sciences Center, Baton Rouge, LA, for a Diabetes Foot Program	72,000
Louisiana State University Health Sciences Center, New Orleans, LA, to continue and expand the development of the Center for Acadiana Genetics and Hereditary Health Care	600,000
Louisiana State University Health Sciences Center, Shreveport, LA, for the Emergency Care Center	250,000
Lourdes Hospital, Paducah, KY for emergency department renovations and equipment	500,000
Loyola University Medical Center, Maywood, IL for construction and equipment	100,000
Lycoming County Crippled Children's Society, Inc., Williamsport, PA	50,000
Madison County Memorial Hospital, Madison, FL	250,000
Magee Women's Hospital of Pittsburgh, PA for construction, renovation, and equipment	1,000,000
Malone College, Canton, OH	1,000,000
Marceline Economic Development Committee, Marceline, MO to expand health services in the community	200,000
Marcus Institute, Atlanta, GA	750,000
Margaretville Memorial Hospital, Margaretville, NY	200,000
Maria de los Santos Community Health Center, Philadelphia, PA for construction, renovation and equipment	100,000
Marianjoy Rehabilitation Hospital, Wheaton, IL	1,000,000
Mario Lemieux Foundation, Pittsburgh, PA for construction, renovation, equipment of hospital emergency rooms for children	200,000
Marion Regional Medical Center-Hamilton Hospital, Hamilton, AL	300,000
Marquette University School of Dentistry, Milwaukee, WI to provide dental care in underserved rural communities through mobile dental clinics	350,000
Marshall University in West Virginia	11,500,000
Mary Bird Perkins Cancer Center, Baton Rouge, LA	71,000
Masonic Medical Research Laboratory, Utica, NY	800,000
Maui Community Health Center to expand the community health center	350,000
McAuley Clinic, Owensboro, KY for health services in rural areas	100,000
Medical College of Georgia, Cancer Research Center, Augusta, GA	1,275,000
Medical College of Wisconsin, Milwaukee, WI	1,500,000
Medical University of South Carolina Oncology Center in Charleston, SC for facility improvements and equipment	4,000,000
Medina Health Ministry, Medina, OH	34,000
Medina Works, Medina, OH	130,000
Meeting Street National Center of Excellence, South Providence, RI	100,000
Memorial Health University Medical Center, Savannah, GA	1,300,000
Memorial Hermann Healthcare System, Houston, TX	2,000,000
Memorial Hospital, Inc., Towanda, PA	200,000
Memorial Medical Center Foundation in Las Cruces, New Mexico for a mobile health clinic for the New Mexico Children's Health Project	150,000
Memorial Medical Center, Springfield, IL	550,000

Memphis Biotech Foundation, Memphis, TN for construction, renovation, and equipment	4,000,000
Mercy Foundation, Midwest Rural Telemedicine Consortium, Des Moines, IA	650,000
Mercy Health Foundation, Durango, CO for equipment	50,000
Mercy Health Partners, Scranton, PA to provide computerized access to clinical information at the point of care, and to implement a computerized physician order entry system that will make medication and other medical orders more accessible	150,000
Mercy Hospital of Pittsburgh, Pittsburgh, PA for abstinence education and related services	111,000
Mercy Hospital, Cadillac, MI	225,000
Mercy Medical Center, Canton, OH	1,000,000
Mercy Medical Center, Des Moines, IA	800,000
Mercy Medical Center, Renal Dialysis, Durango, CO for construction and equipment	500,000
Mercy Medical Center, Springfield, MA, for upgrades to intensive and critical care units and procurement of medical equipment	425,000
Methodist Hospital, Houston, TX	750,000
Methodist Hospital, Henderson, KY for healthcare services for underserved children	100,000
Miami Children's Hospital, Miami, FL, for the Pediatric Brain Tumor and Neurological Disease Institute	167,000
Michigan Research Institute, Ann Arbor, MI, for research and development of medical technologies	400,000
Middle Tennessee State University, Murfreesboro, TN for construction, renovation, and equipment	1,000,000
MidMichigan Medical Center-Midland, MI	100,000
Midtown Community Health Center, Weber County, UT for construction, renovation, and equipment	150,000
Midwestern University, Chicago College of Pharmacy, Downers Grove, IL	200,000
Miller's Children's Hospital, Long Beach, CA	250,000
Milwaukee Area Technical College, Milwaukee, WI for construction and equipment purchases for two satellite campus nurse training program	200,000
Mississippi Band of Choctaw Indians, Choctaw, MS for planning, construction, and renovation of the Mississippi Band of Choctaw's Health Care Center	600,000
Mississippi Blood Services, Jackson, MS for equipment	65,000
Mississippi Primary Health Care Association, Jackson, MS to develop partnerships among rural health care providers to plan for and improve rural health care infrastructure	140,000
Missouri Baptist Hospital, Sullivan, MO for renovation and equipment	31,000
Mobile Health Command, Toledo, OH to purchase and equip a specialized emergency health vehicle	100,000
Modoc Indian Health Project, Alturas, CA, for the Modoc Medical Center and Surprise Valley District Hospital	200,000
Mon Valley Hospital, Monongahela, PA for construction, renovation, and equipment	250,000
Montefiore Medical Center, Clinical Information System, Bronx, NY for equipment	100,000
Moorefield Wellness Project, Petersburg, WV, for health care assistance to Viral population	129,000
Moran Eye Center, Salt Lake City, UT for construction, renovation and equipment	150,000
Morehouse School of Medicine, Atlanta, GA for construction and renovation	75,000
Moses Taylor Hospital in Scranton, PA for construction, renovation, and equipment	300,000
Motion Picture and Television Fund (MPTF), Washington, D.C. for construction, renovation and equipment of a health care complex with emphasis on geriatric research	900,000
Mount Sinai Medical Center, New York, NY for equipment	100,000
Mountain Area Hospice, Asheville, NC	750,000

Mountaineer Community Health and Senior Center, Berkeley Springs, WV	175,000
Mountaintop Area Medical Center, Snow Shoe, PA	150,000
Mt. San Jacinto College, Menifee Valley Campus, Menifee, CA	100,000
Multi Dimensional Imaging, Inc., Newport Beach, CA for equipment	500,000
Murphy Medical Center, Inc., Murphy, NC	1,000,000
National Jewish Medical and Research Center, Denver, CO	800,000
National Nursing Centers Consortium, Philadelphia, PA to conduct a demonstration project to standardize services in nurse managed health and wellness centers	100,000
Navajo Health Foundation/Sage Memorial Hospital, Ganado, AZ	500,000
Nazareth Hospital, Center for Stroke Treatment and Prevention, Philadelphia, PA for construction, renovation, and equipment	250,000
Neighborhood United Against Drugs, Philadelphia, PA for abstinence education and related services	136,000
Nesbitt Memorial Medical Center, Kingston, PA to fund the Behavioral Health Services D/B/A Family Enhancement Center that would provide registered nurses and an administrator	50,000
Neumann College, Aston, PA, for construction, renovation, and equipment	50,000
Nevada Cancer Institute, Las Vegas, NV for construction, renovation, and equipment	350,000
Nevada Rural Health Partners, Reno, NV, in consultation with NV Institute of Research & Technology, to expand and improve rural telemedicine	500,000
New Brighton School District, New Brighton, PA for abstinence education and related services	23,000
New York Academy of Medicine, New York, NY for construction, renovation, and equipment	100,000
New York College of Medicine, New York, New York for construction, renovation, and equipment	100,000
New York University Medical Center for construction of a vaccine lab	1,000,000
Niagara Falls Memorial Hospital to construct an Emergency and Cardiac Center	1,000,000
North Idaho Rural Health Consortium (NIRHC) for a distance healthcare access program	650,000
North Philadelphia Health System, Philadelphia, PA for equipment	100,000
Northeast Health, Rockland, ME for construction, renovation, and equipment	150,000
Northeast Mississippi Health Care, Inc., Byhalia, MS	240,000
Northeast Wisconsin Technical College, Green Bay, WI for equipment for new dental lab	200,000
Northeastern Ohio Universities College of Medicine (NEOUCOM), Rootstown, OH	500,000
Northern Duchess Hospital, Rhineback, NY, for building renovations	400,000
Northern Illinois University Center for the Study of Family Violence and Sexual Assault, DeKalb, IL	750,000
Northern Illinois University, Family Health Wellness & Literacy Center, DeKalb, IL	3,000,000
Northern Illinois University, NIU Institute for Neutron Therapy at Fermi Lab, DeKalb, IL	900,000
Northwest College, Mark and Huldah Buntain School of Nursing, Kirkland, WA	250,000
Northwest Pennsylvania Optical Clinic, Erie, PA to establish clinics and train volunteer staff to provide eyeglasses to poor and indigent individuals	50,000
Northwestern Memorial Hospital, Chicago, IL	350,000
Northwestern University, Center for Genomics and Molecular Medicine, Evanston, IL	725,000
Norton Healthcare for Kosair Children's Hospital, Louisville, KY	700,000
Norwalk Health System, Norwalk, CT	200,000
Nueva Esperanza, Philadelphia, PA for abstinence education and related services	72,000

Nursing Institute of West Central Ohio, Wright State University, Dayton, OH	525,000
Nye County, Nevada, Ambulances for emergency health care in rural areas	100,000
Oakwood Healthcare System, Dearborn, MI	500,000
Ochoco Community Clinic, Prineville, OR, for construction and equipment	50,000
Office of the Advocate for Patients of Puerto Rico, to acquire mobile offices and telecommunications equipment	400,000
Ohio Board of Regents, Columbus, OH to connect Ohio's children's hospitals and select community hospitals with Ohio's academic medical centers via the Third Frontier Network	3,400,000
Ohio State University, College of Medicine & Public Health, Columbus, OH	1,350,000
Ohio State University, Ohio Agricultural Research and Development Center, Wooster, OH	1,000,000
Ohio Super Computing Center (OSC), Columbus, OH	350,000
Ohio University, Athens, OH	250,000
Oklahoma Medical Research Foundation, Oklahoma City, Oklahoma, for the Native American Genetics Initiative	500,000
Oklahoma State University Rural Health Policy and Research Center, Stillwater, OK	280,000
Oregon Community Health Information Network, Portland, OR, for construction, renovation, and equipment at Community Health Centers	50,000
Orthopaedic Hospital of Los Angeles	1,000,000
OSF Saint James-John W. Albrecht Medical Center, Pontiac, IL	350,000
Palliative Care Center and Hospice of the North Shore, Evanston, IL	300,000
Paradise Valley Hospital, National City, CA	100,000
Partners for Healthier Tomorrows, Ephrata, PA for abstinence education and related services	50,000
Partners in Family and Community Development, Athens, PA for abstinence education and related services	72,000
Penn State, Milton S. Hershey Medical Center, Division of Gastroenterology & Hepatology, Hershey, PA for renovation and equipment	975,000
Penn State, Milton S. Hershey Medical Center Division of Gastroenterology and Hepatology for gastroparesis	25,000
Pennsylvania College of Optometry, Elkins Park, PA to provide equipment and program costs associated with developing a network of satellite optometric centers to meet the eye and vision care needs of urban under underserved and high-risk populations	100,000
Pennsylvania Home Care Association, Lemoyne, PA to investigate the impact of telehealth on the overall cost of patient health care	250,000
Peoples Health Center, Inc., Lincoln NE	700,000
People's Health Centers, Inc. St. Louis, MO for construction, renovation, and equipment	400,000
Perseus House, Inc., Erie, PA for abstinence education and related services	50,000
Philadelphia College of Osteopathic Medicine (PCOM), Philadelphia, PA to provide health outreach to the residents of Sullivan County and rural medicine education	350,000
Philipsburg Hospital, Philipsburg, PA	250,000
Phoebe Putney Memorial Hospital, Albany, GA for construction	75,000
Pike Market Medical Center in Seattle, WA, to enable the necessary tenant improvements required to serve numerous patients	500,000
Pines of Peace, Inc., Ontario, NY	15,000
Placer County, Auburn, CA	750,000
Plumas County Seniors Nutrition Program, Plumas, CA	250,000
Policy Institute for Integrative Medicine, Philadelphia, PA for equipment	50,000
Polk County 911 Dispatch Center, Bolivar, MO	250,000
Polk County, FL	500,000
Pondera Medical Center, Conrad, MT for construction, renovation, and equipment	500,000
Port Huron Hospital, Port Huron, MI	400,000

Portneuf Medical Center, Pocatello, ID, for Center for Cardiac and Vascular Services	700,000
Potter County Human Services, Roulette, PA for abstinence education and related services	50,000
Prentiss Regional Hospital, Prentiss, MS	200,000
Presbyterian Home, New Hartford, NY	200,000
Presbyterian Medical Services, Carlsbad, NM	1,500,000
Preventive Medicine Research Institute, Sausalito, CA	150,000
Prince George's County Community Health Center, to create community based health clinics in targeted communities	200,000
Proctor Hospital, Peoria IL	550,000
Project Reality, Glenview, IL for abstinence education and related services	50,000
Provena Health Systems, Mokena, IL	2,170,000
Provena Mercy Center, Aurora, IL	4,000,000
Providence Community Health Centers, Providence, RI for construction, renovation, and equipment	100,000
Public/Private Ventures, Philadelphia, PA for Nurse-Family Partnership sites in Reading, Luzerne and Erie	150,000
Rainbow Babies & Children's Hospital, Cleveland, OH for equipment	900,000
Rape and Victim Assistance Center of Schuykill County, Pottsville, PA for abstinence education and related services	71,000
Real Commitment, Gettysburg, PA for abstinence education and related services	82,000
Red Wing Medical Center, Red Wing, MN	600,000
Regional Health Care Clinic Inc., Sedalia, MO to expand health services in the community	300,000
Rice University, Houston, TX	1,250,000
River Hospital, Alexandria Bay, NY	300,000
Riverside Community College District, Riverside, CA	134,000
Rocking Horse Children's Health Center, Springfield, OH for construction	450,000
Rosebud Sioux Tribe in Rosebud, South Dakota for rural ambulance service operations	250,000
Rural Health Association, La Grande Urgent Care/Family Practice Clinic, Grande, OR for construction and equipment	50,000
Rural Wisconsin Health Cooperative, Sauk City, WI to expand telehealth activities for clinics and hospitals in rural Wisconsin	115,000
Rush University Medical Center, Chicago, IL	300,000
Rush-Copley Medical Center, Aurora, IL	1,000,000
Rutgers University Genetics Building	1,000,000
Sacred Heart Hospital, Allentown, PA for construction, renovation, and equipment	750,000
Sacred Heart Medical Center Foundation, Spokane, WA	500,000
Saginaw Chippewa Tribe of Michigan for the Victims of Crime program	750,000
Saint Elizabeth Health Center, Youngstown, OH for construction, renovation, and equipment	400,000
Saint Francis Hospital, Poughkeepsie, NY	350,000
Saint Joseph Medical Center, Reading, PA for construction, renovation, and equipment	750,000
Samuel U. Rodgers Community Health Center, Kansas City, MO for construction, renovation and equipment	500,000
San Joaquin Community Hospital, Bakersfield, CA	250,000
San Miguel County, Public Health Building, Las Vegas, NM for construction	750,000
San Ysidro Health Center in California	335,000
Sarah D. Culbertson Memorial Hospital in Rushville, IL	200,000
School District of Lancaster, Project IMPACT, Lancaster, PA for abstinence education and related services	101,000
School District of Philadelphia, Philadelphia, PA for abstinence education and related services	102,000
Sciperio, Stillwater, OK	100,000
Scottsdale Healthcare Trauma Center, Scottsdale, AZ	500,000
Seton Hall University, Life Science and Technology Center, South Orange, NJ	150,000
Shamokin Area Community Hospital, Coal Township, PA	300,000

Shands Jacksonville Hospital, Jacksonville, FL	1,000,000
Shepherd's Maternity House Inc., East Stroudsburg, PA for abstinence education and related services	50,000
Sickle Cell Association of Kentuckiana, University of Louisville, Louisville, KY	20,000
Silver Ring Thing, Sewickley, PA for abstinence education and related services	400,000
Sinai Hospital, Baltimore, MD, renovate the hospital maternity facility	200,000
Somerset Medical Center, Somerville, NJ, for cancer center	500,000
Somerset Medical Center, Somerville, NJ, for emergency department	500,000
South Shore Hospital, South Weymouth, MA for emergency department expansion and renovations	150,000
Southeast Community College, Cumberland, KY	750,000
Southern Illinois University, School of Medicine, Springfield, IL	150,000
Springfield Regional Medical Center, Springfield, OH	475,000
St. Alphonsus Regional Medical Center, Boise ID for the St. Benedicte's Family Medical Center, Jerome, ID	500,000
St. Anthony Hospital, Oklahoma City, OK, for construction, renovation, equipment	75,000
St. Anthony's Health Care Foundation, St. Petersburg, FL	2,500,000
St. Anthony's Medical Center, St. Louis, MO	350,000
St. Clair County Senior Citizens Center, Ragland, AL	75,000
St. James-Santee Family Health Center, Inc., McClellanville, SC	200,000
St. Joseph College of Nursing & Allied Health, University of St. Francis, Joliet, IL	150,000
St. Joseph Hospital, Nashua, NH	1,500,000
St. Joseph Regional Health Network, Reading, PA	200,000
St. Jude Children's Research Hospital, Memphis, TN for equipment	400,000
St. Louis University, Biodefense Research Facility, St. Louis, MO for construction, renovation, and equipment	800,000
St. Luke Community Clinic, Front Royal, VA	100,000
St. Luke's Cornwall Hospital, Newburgh, NY	150,000
St. Luke's Hospital, Allentown, PA for construction, renovation, and equipment	800,000
St. Luke's Hospital, Houston, TX for equipment	750,000
St. Luke's Regional Medical Center, Ltd., Boise, ID	250,000
St. Mary Medical Center in California for minority cancer early detection and treatment program	100,000
St. Mary-Corwin Medical Center, Pueblo, CO for equipment	200,000
St. Mary's Hospital in Connecticut for renovation of emergency room facilities	300,000
St. Mary's Medical Center in Huntington, West Virginia, to expand public access to automated external defibrillators in Cabell, Lincoln and Wayne counties	360,000
St. Mary's Medical Center of Campbell County, TN for construction, renovation, and equipment	500,000
St. Nicholas Family Free Clinic, Paducah, KY for healthcare services in rural areas	100,000
St. Petersburg College, St. Petersburg, FL, for dental, prosthetics and orthotics programs	2,000,000
St. Vincent Healthcare Foundation, Billings, MT for construction and equipment	500,000
STAT MedEvac, West Mifflan, PA	1,000,000
Staywell Healthcare, Inc., Waterbury, CT	200,000
StemCyte Research Institute, Arcadia, CA	1,000,000
Stewart-Marchman Center, Inc., Bunnell, FL	100,000
Stoughton Hospital Foundation in Stoughton, Wisconsin for defibrillators	30,000
Summa Health System, Akron, OH	950,000
Susquehanna Health System, Williamsport, PA for upgrades to the clinical medical record system	500,000
Targeted Abstinence Project—McCap, Kansas City, KS for abstinence education and related services	200,000
Tehachapi Hospital, Tehachapi Valley Healthcare District, Tehachapi, CA	500,000

Tennessee Technological University School of Nursing, Cookeville, TN for construction, renovation, and equipment	500,000
Texas A & M University, College Station, TX for the Rural Community Health Institute	250,000
Texas Southern University, College of Pharmacy and Health Sciences, Houston, TX, for the establishment of a health professions program	100,000
Texas Tech University Health Sciences Center, Lubbock, TX, to establish a Center for education, research and clinical services in cardiovascular disease and stroke	375,000
The Children's Health Fund, New York, New York, to improve access to health care for underserved children in Pennsylvania	200,000
Thomas Jefferson University Hospital, Philadelphia, PA	1,000,000
Titusville Area Hospital, Titusville, PA, for HealthWorks Bradford	200,000
To Our Children's Future with Health, Inc., Philadelphia, PA for abstinence on education and related services	109,000
Toledo Children's Hospital, Toledo, OH for equipment	364,000
Town of Bassfield, MS for construction and equipment of a dental clinic	110,000
Translational Genomics Research Institute, Phoenix, AZ	1,400,000
Transylvania Community Hospital, Brevard, NC	1,000,000
Tri County Women's Network, New Carlisle, OH	200,000
Tuscarora Intermediate Unit, McVeytown, PA for abstinence education and related services	84,000
Tyler Memorial Hospital, Tunkhannock, PA	400,000
Underwood and Lee Clinic, Louisville, KY	9,000
United Medical Center, Cheyenne, WY	250,000
University at Buffalo, State University of New York, Buffalo, NY	1,000,000
University of Akron, Medina County University Center, Akron, OH	750,000
University of Alabama at Birmingham, for construction of the Interdisciplinary Biomedical Sciences Research Building	12,500,000
University of Alaska at Anchorage for recruitment and retention of Alaska Natives in nursing	425,000
University of Alaska at Fairbanks for the development of research and evaluation agendas for health care delivery in Alaska	1,000,000
University of Alaska Fairbanks INPSYCH program to train Alaska Natives for careers in psychology	400,000
University of California, Irvine Health System, Orange, CA	450,000
University of California, Irvine, Irvine, CA	400,000
University of California, San Diego Medical Center, San Diego, CA	150,000
University of Charleston in Charleston, WV for a School of Pharmacy facility	4,300,000
University of Chicago Hospitals, Chicago, Illinois for construction, renovation, and equipment	125,000
University of Cincinnati Medical Center, Cincinnati, OH	1,875,000
University of Florida Dental Network for Distance Learning and Tele-Dentistry, Gainesville, FL	1,500,000
University of Hawaii at Hilo for the School of Pharmacy Program	700,000
University of Illinois, College of Medicine, Rockford, IL	400,000
University of Kansas Medical Research Institute, Kansas City, KS for equipment	100,000
University of Kansas, Lawrence, KS, Biomedical Sciences Resource Group, or equipment	2,000,000
University of Kansas, Lawrence, KS, for equipment	500,000
University of Kentucky, Lexington, KY, for equipment	1,000,000
University of Louisville, Research Foundation, Louisville, KY, Center for Cancer Nursing Education and Research	300,000
University of Louisville, Science and Technology Research Center, Louisville, KY for construction and equipment	6,100,000
University of Massachusetts Memorial Hospital for the Picture Archiving and Communication System	850,000
University of Massachusetts, Amherst, MA, for the construction of an integrative life sciences facility	300,000
University of Minnesota, Minneapolis, MN	700,000
University of Mississippi Medical Center, Biomedical Imaging Institute, Jackson, MS for construction and equipment	4,000,000
University of Mississippi Medical Center, Jackson, MS	3,000,000

University of Mississippi, Oxford, MS for planning and construction	1,810,000
University of Missouri-Kansas City, Cardiovascular Proteomics Center, Kansas City, MO for construction, renovation, and equipment	1,700,000
University of Nebraska Medical Center, Great Plains Oral Health program to recruit, train, and retain oral health providers	250,000
University of Nevada-Las Vegas School of Dental Medicine for the purchase of dental equipment	1,000,000
University of Nevada-Las Vegas, to construct biotechnology training labs	300,000
University of Nevada-Reno, for a biomedical imaging laboratory at the University of Nevada School of Medicine in Reno	1,000,000
University of New Mexico, Albuquerque, NM for construction, renovation, and equipment	4,300,000
University of North Dakota School of Medicine and Health Sciences to continue rural health research at the Center for Rural Health and Medicine in Grand Forks, ND	1,000,000
University of North Dakota, School of Medicine and Health Sciences	1,000,000
University of Northern Colorado, Rocky Mountain Cancer Rehabilitation Institute, Greeley, CO for construction and equipment	100,000
University of Oklahoma Health Sciences Center, Oklahoma City, OK, for a biomedical research center	300,000
University of Oklahoma-Tulsa, Tulsa, OK	350,000
University of Oklahoma-Tulsa, Tulsa, OK for construction and equipment of a Research and Medical Clinic	500,000
University of Pennsylvania School of Dental Medicine, Philadelphia, PA for its minority outreach oral health initiative	200,000
University of Pennsylvania, Philadelphia, PA for construction, renovation, equipment	1,000,000
University of Pittsburgh at Bradford, Bradford, PA	200,000
University of Pittsburgh Medical Center, Pittsburgh, PA, for Northwest Hospital	100,000
University of Pittsburgh, Pittsburgh, PA for construction, renovation, and equipment	1,000,000
University of Rochester Medical Center, Rochester, NY	1,000,000
University of South Alabama, Mobile, AL for the Gulf Coast Cancer Center and Research Institute	3,500,000
University of South Alabama, Mobile, AL for the Office of Emerging Health Technologies to provide telemedicine services to rural areas in Alabama	150,000
University of South Alabama, Mobile, AL for the Southwest Alabama Network for Education and Telemedicine	175,000
University of South Carolina Spartanburg Health Education Center, Spartanburg, SC	200,000
University of South Dakota School of Medicine in Vermillion, SD for construction	900,000
University of South Florida Center for Biological Defense, Tampa, FL	2,500,000
University of South Florida Health Science Center, Tampa, FL	1,000,000
University of South Florida, Sarasota/Manatee Campus, Sarasota, FL, for the Center for Advanced Health Practices and Policy Formation	700,000
University of Tennessee Graduate School of Computational Engineering, Chattanooga, Tennessee, for SimCenter project to perform simulations to study ocean/atmospheric issues associated with global climate	1,000,000
University of Tennessee Health System, Knoxville, TN	100,000
University of Tennessee High Risk Newborn Services Center, Knoxville, TN for construction, renovation, and equipment	750,000
University of Texas at Austin for equipment	400,000
University of Texas Health Science Center, San Antonio, TX for equipment	500,000
University of Texas M.D. Anderson Cancer Center, Houston, TX	2,000,000
University of Texas Medical Branch, Galveston, TX for equipment	400,000

University of Texas Southwestern Medical Center at Dallas, Dallas, TX, for multiple sclerosis training center	950,000
University of Texas, Southwestern Medical Center at Dallas, Center for Brain Cognition and Behavior for equipment	500,000
University of Texas, Southwestern Medical Center at Dallas, for the Comprehensive Stroke Center	700,000
University of Utah Telemedicine Outreach Program to develop a comprehensive suite of telehealth services in Utah and Intermountain West	500,000
University of Vermont in Burlington, VT for a pediatric telemedicine project	150,000
University of Vermont in Burlington, VT to continue and expand the Office of Nursing Workforce program	400,000
University of Virginia Office for Telemedicine, University of Virginia Health System, Charlottesville, VA	180,000
University of Washington to construct a life-sciences building	1,000,000
Urban Family Council, Philadelphia, PA for abstinence education and related services	126,000
Ursuline Sisters HIV/AIDS Ministry, Youngstown, OH, to expand their health care and counseling services	50,000
Valley Healthcare System, Inc., Columbus, GA	500,000
Van Andel Research Institute, Grand Rapids, MI for a good manufacturing practices facility	470,000
Vanderbilt Children's Hospital, Nashville, TN for construction, renovation, and equipment	200,000
Venango Economic Development Corporation, Oil City, PA	400,000
Vermont Technical Colleges, Chittenden, VT, to facilitate the retention and transfer of a dental hygienist training program from the University of Vermont	750,000
ViaHealth of Wayne-Newark-Wayne Community Hospital, Newark, NY	200,000
Victim Resource Center Inc., Franklin, PA for abstinence education and related services	41,000
Victory Memorial Hospital, Brooklyn, NY	100,000
Virginia Center for Health Outreach, Harrisonburg, VA	590,000
Visiting Nurse Association of Fox Valley, Aurora, IL	550,000
Vitality Center Community Service Agency in Elko, NV for the construction of a new facility to combine all programs and services under one roof	250,000
Waianae Coast Comprehensive Health Center for leadership training activities	50,000
Waimanalo Community Health Center to expand screening to allow for a unique focus on American Samoan health care needs	200,000
Wake Forest University School of Medicine, Winston-Salem, NC	250,000
Walsh University, Canton, OH, for a Community Wellness Education Center	500,000
Walsh University, Canton, OH, for a Natural Sciences and Bioinfomatics Center	500,000
Washington College, Chestertown, MD	500,000
Washington Health Foundation, Seattle, WA	100,000
Washington Hospital Teen Outreach, Academy for Adolescent Health, Washington, PA for abstinence education and related services	136,000
Wayne Memorial Hospital, Honesdale, PA	300,000
Wenatchee Valley Clinic in Washington State for equipment	250,000
Wenatchee Valley Medical Center, Wenatchee, WA	500,000
Wesley College, Dover, DE	200,000
West Penn Allegheny Health System, Pittsburgh, PA	250,000
West Virginia University for a Clinical Teaching Center at the Charleston Area Medical Center	5,000,000
Western Kentucky University, Bowling Green, KY, for the Mobile Health Screening Program	500,000
Western Kentucky University, Bowling Green, KY, Hispanic Resource Center for health outreach services to the area's Hispanic population	700,000
Western Michigan University, College of Health and Human Services, Kalamazoo, MI, to deploy wireless technology in health care	500,000

Wills Eye Hospital, Philadelphia, PA to provide eye care to underserved populations	1,000,000
Windham Community Memorial Hospital, Willimantic, CT	200,000
Wistar Institute, Philadelphia, PA for construction, renovation, and equipment	50,000
Womankind, Cleveland, OH, to expand prenatal care	50,000
Woman's Hospital, Baton Rouge, LA, for the Women's Outreach, Educational and Wellness Initiative	100,000
Women's Care Center of Erie County, Inc., Abstinence Advantage Program, Erie, PA for abstinence education and related services	136,000
World Impact's Good Samaritan Clinic, Wichita, KS	300,000
Wyoming Dental Association, Laramie, WY to implement comprehensive programs of recruitment and retention of dental professionals	360,000
Wyoming State Department of Health, Office of Telehealth, Cheyenne, WY to create the Wyoming Network for Telehealth (WyNETTE), improving the quality and accessibility of healthcare for people living in Wyoming's rural areas	1,540,000
Wyoming Valley Health Care System, Wilkes-Barre, PA	550,000
Xavier University of Louisiana, New Orleans, LA	250,000
Yeshiva University, Albert Einstein College of Medicine, Bronx, NY	500,000
YMCA of Western Stark County, Ohio	1,000,000
YMCA, Elkins, WV	67,000
York County Human Life Services, Inc. York, PA for abstinence education and related services	50,000
York Health Corporation, York, PA, to expand services of the Nurse-Family Partnership program	50,000

The conference agreement includes bill language identifying $250,000 for facilities renovation at the Gillis Long Hansen's Disease Center as proposed by the Senate rather than $248,000 as proposed by the House.

The conference agreement includes $4,850,000 for malpractice insurance for volunteer physicians who practice at free clinics as authorized by section 224(o) of the Public Health Service Act instead of $10,000,000 as proposed by the Senate. The House did not provide funding for this program.

The conference agreement includes bill language providing $10,000,000 to remain available until expended to establish a National Cord Blood Stem Cell Bank Program within HRSA, which will provide funds to a network of cord blood banks with two specific aims: (1) building an inventory of the highest quality cord blood units for use as unrelated donor grafts for patients who lack human leukocyte antigen (HLA)-matched sibling donors and (2) ensuring an integrated system through which physicians and patients are able to locate a suitably matched cord blood unit or adult volunteer bone marrow donor via a single, electronic access point. The conferees intend that this program be administered by HRSA.

Because this is a new and developing field, the conferees direct HRSA to use $1,000,000 of the funds provided for the cord blood bank to contract with the Institute of Medicine (IOM) to commission a study which shall be completed within twelve months of enactment of this Act. The study should recommend an optimal structure for the cord blood program and address pertinent issues to maximize the potential of this technology, including collection, storage, standards setting, information sharing, distribution, reimbursement, research and outcome measures. The IOM should receive input from experts including: (a) transplant physicians with expertise in the use of cord blood for unrelated marrow transplantation; (b) experts in the analysis of clinical outcomes after bone

marrow and cord blood stem cell transplantations; (c) experts on HLA typing for transplantation, especially experts with experience in unrelated cord blood transplantation; (d) experts in medical database development and management and web-based information technology; (e) obstetricians familiar with programs for cord blood donation for public use; (f) experts in cord blood banking; (g) representatives of existing federally-funded and other active cord blood and bone marrow registries; (h) representatives of the Food and Drug Administration (FDA); (i) experts in the accreditation of facilities for cord blood stem cell preparation and transplantation; and (j) representatives of the National Institutes of Health NHLBI Cord Blood Transplantation Study. The conferees expect that no additional monies will be expended until the IOM report is completed and that by the end of fiscal year 2005, HRSA will implement the program following the IOM recommendations. The Secretary shall notify the Appropriations Committees of both Houses of Congress at least fifteen days prior to the release of funds for this program.

The conferees understand that cord blood is part of a continuum of transplantation treatment and support further research in cord blood transplantation. A portion of the cord blood units collected using these funds should be available for the performance of pre-clinical and clinical research focusing on cord blood stem cell biology and the use of umbilical cord blood stem cells for human transplantation and cellular therapies. The conferees recognize the importance of Federal oversight to protect public health and safety, and expect that funds will be directed to cord blood banks that comply with all FDA requirements and have obtained any necessary licenses. The conferees intend that this program should be available to currently established cord blood banks with active collection programs operating under an approved IND from the FDA.

The conference agreement includes bill language identifying $39,740,000 for the rural hospital flexibility grants program as provided by both the House and Senate. Within the total provided, $15,000,000 is for the Small Rural Hospital Improvement Grant program.

The conference agreement includes bill language identifying $280,000,000 for family planning instead of $273,350,000 as proposed by the House and $283,350,000 as proposed by the Senate.

The conferees have included bill language identifying $25,000,000 for existing community health centers for economic stabilization and to offset the rising cost of current services. The conferees expect HRSA to use this funding to increase basic support for existing health centers based on performance-related criteria. The House and Senate reports included a similar directive.

To address the problem of rising expenditures for prescription drugs, the conferees recognize that, increasingly, use is being made of the Public Health Service drug discount program by its grantees, their patients, and third-party payers, such as State Medicaid plans. Congress has funded an increase in the number of community health centers and other safety net health care providers. However, the process for quarterly updating of the list of providers certified for the drug discount program acts as an unnecessary administrative barrier to more immediate access to the lower drug

prices. Therefore, the conferees direct the Public Health Service to adopt procedures for immediate access to the drug discounts for qualified entities that are specified in section 340B of the Public Health Service Act.

The conferees remain concerned that the effort to restructure HRSA programs and grants management may be having a negative effect on the stability of many HRSA grantees. Specifically, the restructuring of HRSA's project officer system has proven to be detrimental to new grantees, that often need immediate, high quality technical assistance to successfully deliver care in their communities and meet complex program requirements. The conferees expect HRSA to work with all stakeholders to improve the availability of accurate information and policy clarifications from HRSA. The conferees also expect HRSA to improve the timeliness of award notices and the notices of the availability of new funds.

The conferees recently learned that, due to certain requirements under Section 330 of the Public Health Service Act, a number of school-based health centers that had previously received funding under the community health centers program are now ineligible for such funding. Recognizing the contribution that these entities have made in their respective communities, the conferees strongly urge HRSA to make these previously funded programs eligible for funding in fiscal year 2004. The conferees further urge HRSA to develop recommendations for overcoming this problem in the future.

The conference agreement provides $12,000,000 for Native Hawaiian health care activities within the consolidated health centers program instead of $15,000,000 as provided by the Senate. The House did not identify specific funding for Native Hawaiian activities.

The conference agreement includes $2,056,956,000 for Ryan White AIDS programs, of which $2,031,956,000 is provided as budget authority and $25,000,000 is provided from program evaluation funding under section 241 of the Public Health Service Act to carry out Ryan White Special Projects of National Significance. The House had provided $2,023,599,000, while the Senate provided $2,041,599,000, of which $25,000,000 was from program evaluation funding. The agreement includes bill language identifying $753,317,000 for the Ryan White Title II State AIDS drug assistance programs as proposed by the House instead of $739,000,000 as proposed by the Senate.

Within the total for Ryan White AIDS programs, no less than the amount provided in fiscal year 2003 is included for AIDS activities that are targeted to address the growing HIV/AIDS epidemic and its disproportionate impact upon communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders.

The conferees are concerned by the increasing prevalence of hepatitis C–HIV co-infection. Co-infection of the hepatitis C virus (HCV) in HIV infected patients has become the leading cause of AIDS mortality in some parts of the country. The death rate is higher and life expectancy shorter for co-infection patients than for patients who have only HIV. To address this growing problem, the conferees urge HRSA to encourage State ADAPs to offer co-infected

patients access to approved hepatitis C treatments as their resources allow, to ensure that the Ryan White critical care funded programs (including Title III & IV clinics) provide opportunities for training care givers and clinicians to treat co-infected patients, and to ensure that AETCs address the need for physician education on HCV/HIV co-infection.

The conferees recognize that it is essential for the Title IV program to maximize funds going for services to women, children, families and youth and to place an appropriate limit on administrative expenses. The conferees agree with HRSA that, due to the time constraints related to the approaching application deadline, it is not possible to institute this limitation in fiscal year 2004 for grants that would be awarded in August 2004. In addition, the conferees have concerns with the quality of the data that have been collected for calculating the proposed cap. In the Notice regarding the proposal that was placed in the Federal Register on August 12, 2003, the definition of "administrative expenses" was undetermined; however, data were given regarding the administrative expenses of the various Title IV grantees. These data may or may not have included indirect costs. As a result of the lack of a precise definition, the grantees may have provided incorrect information regarding their administrative expenses. The conferees agree that these data must be accurate to determine a fair limitation on administrative expenses that ensures that the Title IV grantees remain viable and able to provide services for women, children, youth, and families infected with HIV. Since the earliest that this limitation may be put into effect is fiscal year 2005 for grants that will be awarded in August 2005, the conferees strongly urge HRSA to re-collect data regarding administrative expenses with a precise definition to ensure accuracy and comparability.

The conferees concur in the Senate report language regarding 90 percent of total title IV funding being provided to grantees and primarily to support maintenance of existing care services. The conferees also concur in the Senate report language intending that HRSA use a significant portion of the remaining funds to expand comprehensive services for youth. The conferees also concur in Senate language regarding peer-based technical assistance and a national consumer and provider education center.

The conference agreement includes bill language designating $121,130,000 of the funds provided for the maternal and child health block grant for special projects of regional and national significance (SPRANS). The House bill provided $117,831,000 for this activity while the Senate bill earmarked $116,381,000 for this purpose. It is intended that $4,000,000 of the SPRANS amount will be used to continue the sickle cell newborn screening program and its locally based outreach and counseling efforts. In addition, $5,000,000 of the SPRANS amount will be used to continue the oral health demonstration programs and activities in the States. The conference agreement also includes within the SPRANS set-aside $1,600,000 for mental health programs and activities in the States as outlined in the Senate report, $3,000,000 to begin an epilepsy demonstration, and $2,000,000 for newborn and child screening for heritable disorders as authorized in Title XXVI of the Children's Health Act of 2000. The heritable disorders program is de-

signed to strengthen States' newborn screening programs and improve States' ability to develop, evaluate, and acquire innovative testing technologies, and establish and improve programs to provide screening, counseling, testing and special services for newborns and children at risk for heritable disorders.

The conference agreement includes $74,988,000 for abstinence education programs instead of $65,000,000 as proposed by the House and $73,044,000 as proposed by the Senate. The conference agreement includes $4,500,000 in program evaluation funds for the abstinence education program and $70,488,000 in budget authority. The program evaluation funds are to be used for evaluation of adolescent pregnancy prevention programs. Because the program evaluation funds are provided in addition to the budget authority for the abstinence education program, the conference agreement strikes language in both the House and Senate bills permitting the budget authority to be used for evaluation and setting a limit of 3.5 percent of the total provided for such purposes. The conferees concur in language included in the House report regarding technical assistance and capacity building and language included in the Senate report about grantees with project periods expiring in fiscal year 2003.

The conference agreement includes $500,000 for rural emergency service training and equipment assistance instead of $1,000,000 as proposed by the Senate. The specific bill language providing the funding has been deleted and the funding included in the table at the end of the statement of managers.

The conference agreement includes $11,000,000 for rural and community access to rural devices. This includes $10,000,000 for the rural program under section 413 of the Public Health Service Act and $1,000,000 for the new community access demonstration under section 313.

The conference agreement includes $438,748,000 for health professions instead of $391,203,000 as proposed by the House. The Senate provided $423,765,000 for a consolidated health professions line as well as $50,000,000 for nurse training.

The conferees concur in the House report language allocating fiscal year 2003 level funding for graduate psychology education and geropsychology and $19,000,000 for geriatric education centers, $7,000,000 for geriatric training, and $6,000,000 for geriatric academic career awards. The conferees concur in Senate report language allocating at least $5,500,000 for the pediatric dental program and providing continued funding for the chiropractic-medical school demonstration grant program.

The conference agreement provides $142,763,000 for nurse training programs within the health professions training total. In using the increase in funding provided above the fiscal year 2003 level under Nurse Education, Practice, and Retention Grants, the conferees expect HRSA to give preference in funding to internship and residency programs, career ladder programs, and enhancing patient care delivery systems. The conferees intend that a portion of the funding provided for loan repayment and scholarships be used for scholarships in exchange for two years of service at health care facilities with critical shortages of nurses.

The conferees continue to be concerned about the health care needs of those in the Mississippi River Delta region. The conferees provide $6,800,000 for rural health outreach to continue the ongoing initiative in eight States. These grants provide funding and technical assistance to help underserved rural communities identify and better address their health care needs and to help small rural hospitals improve their financial and operational performance. The conferees further recommend that HRSA consult with the Delta Regional Authority and the Delta Health Alliance, given their ongoing relationships with communities in the Delta.

The conferees concur with the Senate report language regarding frontier extended stay clinics.

The conferees support the Student Resident Experiences and Rotations in Community Health (SEARCH) program within the National Health Service Corps and intend that HRSA continue this program in fiscal year 2004.

The conference agreement includes $35,000,000 for the Denali Commission instead of $40,000,000 as proposed by the Senate. The House did not include funding for the Commission. The conference agreement includes a general provision, section 222, amending the Denali Commission Act of 1998 to clarify that the Commission has authority to use the interagency transfer mechanism rather than grants to receive the funding provided in this Act. The conferees concur in language in the Senate report indicating that the Denali Commission should allocate funds to a mix of service facilities. Within the funds provided, $2,500,000 is provided to acquire medical equipment for rural clinics and hospitals, such as an x-ray machine for Seldovia, AK, and $5,000,000 shall be used for upgrade and construction of shelters for victims of domestic violence.

The conferees concur in language in the Senate report identifying $3,000,000 within traumatic brain injury funding for protection and advocacy services.

The conference agreement includes $104,317,000 for the community access program as proposed by the House. The Senate did not provide funding for this program. The conferees encourage HRSA, through the Community Access Program, to establish demonstration projects between community health centers and minority health professions schools for the purpose of health status disparities research and data collection. Such demonstration projects were authorized in the Health Care Safety Net Amendments of 2002.

The conference agreement includes $150,000,000 for program management instead of $155,974,000 as provided by the House and $146,686,000 as provided by the Senate.

The conferees expect HRSA to use no more than one percent of the funds allocated for projects for agency administrative expenses.

The Ricky Ray Hemophilia Relief Act of 1998 established the Ricky Ray Hemophilia Relief Fund to provide compassionate payments to certain individuals affected by HIV transmission via contaminated blood products. The fund terminated by law on November 12, 2003. The conferees are aware of approximately 28 cases that may still be adjudicated. The conferees understand that HRSA has made budgetary arrangements in anticipation of potential additional payments. The conferees expect HRSA to report to the

House and Senate Appropriations Committees on the status of these potential payments by February 1, 2004.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

The conference agreement includes $3,222,000 for the administrative costs associated with the Vaccine Injury Compensation Program instead of $3,472,000 as proposed by the House and $2,972,000 as proposed by the Senate.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

The conference agreement includes $4,545,472,000 for disease control, research, and training at the Centers for Disease Control and Prevention (CDC), instead of $4,588,671,000 as proposed by the House and $4,494,496,000 as proposed by the Senate. In addition, $212,134,000 is made available under Section 241 of the Public Health Service Act, the same as proposed by the Senate. The House bill proposed that $13,226,000 be derived under Section 241 authority.

The conference agreement includes language proposed by the Senate inserting the word "purchase" before the phrase, "hire, maintenance, and operation of aircraft." The House proposed no similar language.

The conference agreement includes bill language earmarking $262,000,000 for equipment, construction, and renovation of facilities, instead of $260,000,000 as proposed by the Senate. The House proposed $206,000,000 for this activity. Within this total, $250,000,000 is for continuation of CDC's Facilities in Atlanta and $9,600,000 is for the second year costs of replacing CDC's infectious disease laboratory in Fort Collins, Colorado and $2,400,000 is to begin replacement of CDC's facilities in Cincinnati, Ohio. The conferees continue to support the implementation of CDC's Buildings and Facilities Master Plan and are pleased with the progress made to date.

The conferees expect the CDC to utilize a portion of the funds provided for buildings and facilities to continue and expand security improvements to ensure critical information reliability for response to critical events, as well as to conduct increasingly varied public health missions.

The conference agreement includes bill language to allow the Centers for Disease Control and Prevention (CDC) to enter into a single contract or related contracts for the full scope of development and construction of facilities as proposed by both the House and the Senate. The conference agreement also includes bill language to allow funds appropriated to the CDC to be used to enter into a long-term ground lease for construction on non-Federal land, in order to replace their laboratory in the Fort Collins, Colorado area as proposed by both the House and Senate.

The conference agreement includes bill language to earmark $293,569,000 for international HIV/AIDS, with $150,000,000 earmarked for the International Mother and Child HIV Prevention Initiative, the same as proposed by the Senate. The House proposed $242,569,000 for international HIV/AIDS, with $100,000,000

earmarked for the International Mother and Child HIV Prevention Initiative.

The conference agreement includes bill language as proposed by the Senate designating that the following amounts shall be available under section 241 (Public Health Service Act evaluation set-aside) for the specified activities:

$127,634,000—National Center for Health Statistics Surveys

$14,000,000—National Immunization Surveys

$28,600,000—Information Systems Standards Development and Architecture and Applications-based Research Used at Local Public Health Levels

$41,900,000—Research Tools and Approaches within the National Occupational Research Agenda

The House bill provided that $13,226,000 be derived from section 241 for National Center for Health Statistics surveys.

Birth Defects

The conference agreement includes $113,513,000 for birth defects, developmental disabilities, disability and health instead of $106,339,000 as proposed by the House and $110,639,000 as proposed by the Senate.

Within the total, the following amounts are provided for the specified activities above the comparable amount for fiscal year 2003:

$5,244,000 to expand autism surveillance and education activities;

$1,000,000 to expand research activities conducted by the regional Centers for Birth Defects Research and Prevention;

$250,000 to expand activities related to Fetal Alcohol Syndrome;

$1,000,000 to expand the National Spina Bifida program;

$1,500,000 to establish a public health education and research program concerning Tourette syndrome;

$1,500,000 to expand surveillance and epidemiological efforts of Duchenne and Becker muscular dystrophy;

$750,000 to expand support for the Special Olympics Healthy Athletes Initiative;

$2,500,000 to expand the work of the Paralysis Resource Center;

$1,000,000 to expand disability prevention activities;

$300,000 to expand the newborn infant screening program;

$250,000 to expand Limb Loss activities;

$500,000 to establish a craniofacial malformation program; and

$274,000 to expand the work of the Attention Deficit Resource Centers.

The conference agreement includes $3,000,000 above the fiscal year 2003 level for the support and expansion of CDC's State autism surveillance program. In addition, $2,244,000 is provided to establish a national awareness and education program that will widely disseminate information regarding autism identification and diagnosis to both families and health care providers as authorized by Sec. 103 of the Children's Health Act of 2000. This program

should be administered and piloted in partnership with voluntary organizations already working in the autism community.

The conferees concur that the status report on autism data collection requested by both the House and Senate is due by March 1, 2004.

The conference agreement includes $1,500,000 to establish a public health and research program in partnership with a national voluntary health association dedicated to assist parents and families of children with Tourette Syndrome as proposed by both the House and Senate.

The conferees continue to support strongly the partnership between CDC and the Christopher and Dana Reeve Paralysis Resource Center and intend that within the increase provided: $500,000 be used to fund up to three applied research projects to translate clinical rehabilitation treadmill therapy to community-based settings and to train health care professionals to deliver this intervention; and $2,000,000 be used to expand the work of the Resource Center.

The conferees commend CDC for its partnership with CHADD in developing an AD/HD Resource Center and has provided an increase of $274,000 above fiscal year 2003 to expand the Resource Center in an effort to respond to the overwhelming demand for information and support services. The conferees intend that the full amount of the increase be awarded to the Resource Center.

The conferees commend CDC for its partnership with Amputee Coalition of America on the National Limb Loss Information Center. The conferees intend that the full amount of the increase provided be awarded to the Information Center.

The conference agreement includes $500,000 for craniofacial malformation activities. The conferees concur with language in the Senate report regarding the establishment of a craniofacial malformation and development registry and the creation of a plan for an information clearinghouse for parents and physicians.

The conference agreement includes sufficient funds above the request for CDC to initiate in fiscal year 2004 epidemiological and population-based studies on individuals with Down syndrome as outlined in the House and Senate reports.

Chronic Disease Prevention and Health Promotion

The conference agreement includes $859,065,000 for chronic disease prevention and health promotion instead of $862,011,000 as proposed by the House and $801,844,000 as proposed by the Senate. Programs within this account are funded at the following levels:

Heart Disease and Stroke	$46,000,000
Cancer Prevention and Control	315,631,000
Diabetes	67,342,000
Arthritis and Other Chronic Diseases	24,501,000
Tobacco	100,100,000
Nutrition/Physical Activity	45,000,000
Community Health Promotion	24,064,000
School Health	62,835,000
Safe Motherhood/Infant Health	54,252,000
Oral Health	12,510,000
Prevention Centers	26,830,000

VERB (Youth Media) Campaign	36,000,000
Steps to a Healthier U.S.	44,000,000

Within the amounts provided for Cancer Prevention and Control $210,929,000 is for the Breast and Cervical Cancer Screening Program; $50,000,000 is for Cancer Registries; $15,000,000 is for Colorectal Cancer; $12,000,000 is for Comprehensive Cancer; $4,950,000 is for Ovarian Cancer; $15,555,000 is for Prostate Cancer; $5,000,000 is for the Geraldine Ferraro Cancer Education Program; and $2,197,000 is for Skin Cancer.

The conferees applaud the ongoing work at CDC, in conjunction with the Lance Armstrong Foundation, to develop a National Cancer Survivorship Action Plan. The conferees also urge the CDC to develop a cancer survivorship resource center focused on the post-treatment needs and long-term survivorship/quality of life issues.

The conferees are aware that survival rates of the most lethal cancers, including lung, esophageal, liver, and pancreatic cancer, remain at or below 15 percent. Further, the conferees understand that the University of Kentucky, Markey Cancer Center, has begun a three-year effort to establish a state-of-the-art early detection and outreach program for a rural, medically underserved population with links to best treatment practices, clinical trials, and relevant translational research. Upon its completion, the conferees request that the Secretary, through the Director of the CDC, assess both the design and findings of this project, and report to the House and Senate Appropriations Committees on the project's outcomes and any recommendations to increase the survival rates of lethal cancers.

Within the amounts available for Arthritis and Other Chronic Diseases, the agreement provides an increase over fiscal year 2003 of $250,000 for the expansion of State-based arthritis programs and collaborations with the relevant voluntary health organizations and of $750,000 to enhance epilepsy efforts, in partnership with a national non-profit organization that works on behalf of children and adults affected by seizures. In addition, $1,000,000 is available within Arthritis and Other Chronic Diseases to continue support for the National Lupus Patient Registry.

The conferees encourage the CDC to develop a partnership with a national voluntary health association dedicated to assisting persons with Interstitial Cystitis (IC) and undertake initiatives to expand public and professional education efforts concerning IC and enhance the understanding of IC through epidemiological studies.

Within amounts provided for Community Health Promotion, $8,100,000 is provided to support and expand the Behavioral Risk Factor Surveillance Systems, $2,982,000 is provided for continuing and expanding a model project that is testing and evaluating the efficacy of glaucoma screening using mobile units, $2,887,000 is for the national vision screening and education program, and $1,800,000 is for the Mind-Body Medical Institute in Boston, Massachusetts to continue practice-based assessments, identification, and study of promising and heavily-used mind/body practices.

The conferees concur with language included in the Senate report regarding the Sudden Infant Death Syndrome (SIDS) death scene protocol and have provided $300,000 to support projects to

demonstrate the protocol's effectiveness from within funds available under Safe Motherhood and Infant Health.

The conference agreement includes $36,000,000 for the VERB (Youth Media) campaign. The conferees intend that the funds provided for fiscal year 2004 be used to augment the media buy for phase 3 of the campaign and encourage the CDC to use these enhanced resources to leverage additional in-kind contributions.

The conferees encourage the CDC to develop partnerships with national organizations to enhance the reach and impact of the STEPS program by coordinating and delivering program models to additional communities across America, including in rural and disadvantaged communities. Potential partners should have experience directly providing youth-development programs, long-standing dedication to promoting lifelong health, and a commitment to serving all ages, incomes, and abilities.

Within the amount for Nutrition and Physical Activity, the conference agreement includes $1,000,000 to support a comprehensive review of the effects of food marketing on children's diet and health, including the characteristics of effective marketing of foods to children to promote healthy food choices. The conferees request that upon completion of the review, a report detailing the review's findings be submitted to the appropriate Committees of jurisdiction of the Congress.

Environmental Health

The conference agreement includes $184,629,000 for environmental health instead of $184,829,000 as proposed by the House and $184,329,000 as proposed by the Senate.

Within the total provided: $38,518,000 is for the environmental health laboratory; $66,728,000 is for environmental health activities (including $2,200,000 to continue the physician education and public awareness program for primary immune deficiency disease as implemented by the Jeffrey Modell Foundation, and $27,900,000 to continue the health-tracking network); $37,386,000 is for asthma; and $41,997,000 is for childhood lead poisoning.

The conferees support the continuation of CDC's work responding to, and preventing adverse health effects of complex humanitarian emergencies around the world and commend CDC for supporting organizations that apply public health strategies to mitigate the impact of conflict on civilian populations in Iraq and elsewhere.

Epidemic Services

The conference agreement includes $92,494,000 for epidemic services and response, instead of $82,494,000 as proposed by the House and $127,494,000 as proposed by the Senate.

The conference agreement includes $15,000,000 above the comparable level for fiscal year 2003 for the Director to expand global disease detection capabilities. The conferees are aware that approximately thirty previously unheard of infectious diseases were discovered in the last thirty years. The conferees intend that the increased funds provided for global disease detection be allocated in the manner determined by the Director of CDC to enhance the capability to detect and track global outbreaks of disease.

The conferees commend CDC for its partnership with the Landmine Survivor Network and have provided funds within Epidemic Services to support the Network at not less than the fiscal year 2003 level.

Health Statistics

The conference agreement includes $127,634,000 for Health Statistics, to be derived from amounts made available under Section 241 of the Public Health Service Act, the same as proposed by the Senate. The House proposed $125,899,000 for Health Statistics, of which $13,226,000 was to be derived from amounts made available under Section 241 of the Public Health Service Act.

HIV/AIDS, STD and TB Prevention

The conference agreement includes $1,299,388,000 for HIV/AIDS, STD and TB prevention instead of $1,247,388,000 as proposed by the House and $1,301,388,000 as proposed by the Senate.

Included in this amount is $993,189,000 for HIV/AIDS activities, of which $293,569,000 is for global HIV/AIDS activities; $169,072,000 for STD activities; and $137,127,000 for TB activities. Within the funds provided for global HIV/AIDS, $150,000,000 is for the International Mother and Child HIV Prevention Initiative.

Within the total for HIV/AIDS, $104,000,000 is provided to continue CDC's support of activities that are targeted to address the growing HIV/AIDS epidemic and its disparate impact on communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders. The conferees intend that CDC follow the report accompanying the Labor, HHS and Education and Related Agencies Appropriations Act, 2002 regarding the disbursement of these funds, including continuing support for the Directly Funded Minority Community Based Organization Program.

The conferees urge the Director to continue and to strengthen CDC support of community-based organizations and faith-based organizations in their efforts to provide culturally and linguistically appropriate primary and secondary HIV prevention programs. The conferees are aware of recent concerns regarding instability in the recompetition process and encourage the CDC to provide directly funded community and faith based organizations with technical assistance and capacity building support in order to promote effective and sustainable programs.

Within the total for STD activities, $500,000 is for CDC to carry out a competitive grant program to strengthen local capacity on Indian reservations to screen for and treat sexually transmitted diseases and to educate local populations about such diseases and their consequences, as well as how transmission of such diseases can be prevented.

The conferees urge CDC to utilize $1,000,000 of the increase provided for Tuberculosis (TB) prevention to partner with a private foundation uniquely qualified to test new TB vaccines and that has implemented a large-scale community-based TB vaccine field trial. CDC should utilize its cooperative agreement mechanisms to ensure that the agency has the opportunity to provide technical as-

sistance and guidance to this important partnership, especially with regard to epidemiology.

The conferees request that the Director prepare a plan to comprehensively address blood safety and injection safety in Africa under the Global AIDS program, to be completed and submitted to the Committees on Appropriations of the House and Senate no later than 120 days after enactment of this Act. The plan should ensure that all injections occur in a safe manner, through provision of an adequate supply of safe injection equipment, preferably non-reusable syringes, provider education, and waste management, and to foster "appropriate use" of injections in order to reduce the number of unnecessary injections administered. Similarly, the plan should reflect an emphasis on both increasing the blood supply through donor recruitment and ensuring its safety through proper screening of donors and donated blood as well as the development or improvement of a robust national blood service. In addition, provision should be made for provider education and other measures necessary to ensure the appropriate use of donated blood and to discourage unnecessary or inappropriate uses.

Immunization

The conference agreement includes a discretionary program level total of $633,385,000 for immunization, instead of $650,586,000 as proposed by the House and $641,686,000 as proposed by the Senate. In addition, $14,000,000 is for national immunization surveys to be derived from section 241 evaluation set-aside funds, the same as proposed by the Senate. The House bill included no similar provision.

The conferees note that the National Vaccine Program Office, formerly housed within CDC, will be transferred to the Office of the Secretary. Accordingly, the appropriation for immunization has been reduced and the $7,301,000 requested to support that office is appropriated within the Office of the Secretary, General Departmental Management account.

In addition, the Vaccines for Children (VFC) program funded through the Medicaid program is expected to provide $980,196,000 in vaccine purchases and distribution support in fiscal year 2004, for a total immunization program level of $1,627,581,000.

Included in the amount provided is $495,464,000 for the section 317 program, and $151,921,000 for global immunization activities. Within the total available for global immunization, $106,400,000 is for global polio eradication activities, and $45,521,000 for other global activities, including the global measles program.

The conferees are aware of sensitivities about research involving the safety of childhood vaccines. CDC's Vaccine Safety Datalink Data Sharing Program allows external researchers to assess vaccine safety by analyzing data from managed care organizations. The conferees believe that it is essential that these data be available in a way that allows for independent review while at the same time protects confidentiality and complies with regulations for the protection of human subjects involved in research. The conferees urge that CDC continue to assure access to these data and appropriately preserve final datasets for vaccine safety studies and

datasets created by CDC for external researchers through the Vaccine Safety Datalink Data Sharing Program.

Infectious Diseases

The conference agreement includes $372,503,000 for infectious diseases instead of $382,226,000 as proposed by the House and $372,760,000 as proposed by the Senate.

Within the total provided, $9,000,000 above fiscal year 2003 is provided for areas of highest scientific and programmatic priority for preparing and responding to present and emerging infectious disease threats.

Within the total provided, $2,000,000 above fiscal year 2003 is to augment CDC's resources for supporting States in developing and implementing effective surveillance, prevention, and mosquito control to effectively combat West Nile Virus and support research on the biology of the disease.

Within the total provided, $911,000 above fiscal year 2003 is to expand research, prevention and control activities on malaria and to continue CDC's Global Malaria Initiative.

Within the total provided, $1,000,000 above fiscal year 2003 is to expand and improve surveillance, research, and prevention activities on prion disease. The conferees intend that a significant portion of the increase be used to expand support for the National Prion Disease Pathology Surveillance Center to augment the national autopsy network for prion disease surveillance.

Within the total, $2,200,000 is provided to continue the thalassemia blood safety surveillance program.

The conferees are deeply concerned by the largest known outbreak of Hepatitis A in the Nation, which has been developing in western Pennsylvania over the last few weeks. The conferees understand that a CDC field investigation team is in Beaver Falls, Pennsylvania working with State and local health officials to determine the source of the outbreak and limit the spread of the disease. The conferees commend the CDC's response, and expect the CDC to continue and expand these efforts to contain this specific outbreak and to prevent future occurrences.

The conferees are pleased that CDC has branched into new areas of Chronic Fatigue Syndrome (CFS) research and medical education in the four-year period in which the $12,900,000 is being restored to the CFS program. The conferees expect that the payback period will be extended through fiscal year 2005.

Injury Control

The conference agreement includes $154,632,000 for injury control, instead of $152,414,000 as proposed by the House and $152,409,000 as proposed by the Senate.

Within the total provided, $3,750,000 is to extend implementation of the National Violent Death Reporting System, $8,700,000 is for child maltreatment prevention activities, and $5,224,000 is for the Traumatic Brain Injury prevention program. In addition, sufficient funds are included to continue support for all existing Injury Control Research Centers.

Occupational Safety and Health

The conference agreement provides $236,985,000 for occupational safety and health, instead of $273,385,000 as proposed by the House and $240,485,000 as proposed by the Senate. In addition, $41,900,000 is available to carry out Research Tools and Approaches activities within the National Occupational Research Agenda (NORA) to be derived from section 241 evaluation set-aside funds as proposed by the Senate. This brings the comparable program level to $278,885,000. The House bill had no similar provision.

Within the total provided, $19,700,000 is for the Education and Research Centers and $26,000,000 above the request is for research activities in support of implementation of NORA.

Also within the total provided, $3,500,000 above the fiscal year 2003 level is provided for the National Personal Protective Technologies Laboratory. The conferees intend that the funds be used in the manner outlined in the Senate report.

The conference agreement also includes sufficient funds to continue the farm health and safety initiative, the construction safety and health program, and to purchase personal dosimetry monitors as outlined in the House report.

Public Health Improvement

The conference agreement includes $143,082,000 for public health improvement instead of $144,530,000 as proposed by the House and $106,789,000 as proposed by the Senate. In addition, $28,600,000 is available to carry out information systems standards development and architecture and applications-based research used at local public health levels to be derived from section 241 evaluation set-aside funds, as proposed by the Senate. The House bill included no similar provision.

The conference agreement includes $15,000,000 within Public Health Improvement to expand public health research that is determined by the Director as having high scientific and programmatic priority.

Funds requested within public health improvement for development and implementation of a nationwide environmental health-tracking network have been provided for within the CDC's environmental health activities program.

The conference agreement includes $500,000 to continue the Comprehensive Assessment of Rural Health in Iowa (CARHI), in conjunction with the Iowa Department of Public Health.

The conferees include the following amounts for the following projects and activities in fiscal year 2004:

Allergy/Asthma Foundation of Alaska and The Alaska Lung Association for programs aimed at preventing youth smoking	250,000
American Trauma Society, Upper Marlboro, MD to develop trauma response curriculum	100,000
American Vitiligo Research Foundation, Clearwater, FL, for public and health professional education regarding Vitiligo	250,000
BioAdvance, Philadelphia, PA to strengthen bioinformatics training activities	100,000
Black Hills State University in Spearfish, South Dakota for the West River Task Force on Fetal Alcohol Syndrome/Effect	200,000

Burlington Community College, Pemberton, NJ, for equipment for high-tech simulation training of handling chemical and biological hazards	800,000
Center for Disaster Epidemiology & Preparedness, Department of Epidemiology and Public Health, University of Miami School of Medicine, Miami, FL, to establish a Specialty Center for Public Health Preparedness focused on Hispanic Training on Disasters	166,000
Center for Mind Body Medicine, Washington, DC, to train health and mental health professionals in treating war and terrorism related trauma in the U.S. and abroad	100,000
Chester County Hospital, West Chester, PA to establish home monitoring systems for patients with congestive heart failure	250,000
City of Waterloo, Iowa, for expansion of Fire PALS, a school-based injury prevention program	150,000
Clarion University, Clarion, PA for a smoking cessation and prevention campaign	50,000
Community College Foundation, Sacramento, CA, for the ePassport foster child health and education data tracking program	2,000,000
Community Health Centers in Hawaii for Childhood Rural Asthma Project	150,000
Community Lead Education and Reduction Program (CLEARCorps), Minneapolis, Minnesota to provide intervention training to detect the signs of childhood lead poisoning and perform remediation of affected homes	100,000
Delaware Valley Hepatitis Treatment, Research, and Education Center (HepTREC), Melrose Park, PA to enhance awareness, train support groups, and fund programs for patients	75,000
Delta State University, Cleveland, MS for the Delta Health Alliance Agri-Medicine Initiative	500,000
DuPage County Health Department, Wheaton, Illinois, for security enhancements	300,000
East Harlem Asthma Working Group for salaries and treatment methods, focusing on teaching kids and families how to cope with asthma	100,000
East Tennessee State University, Division of Health Sciences, Johnson City, TN, for the Appalachian Cancer Demonstration Project	375,000
Federation of American Scientists, Washington, DC, for a bio-preparedness demonstration project involving the use of interactive simulation for training	100,000
Friends of the Congressional Glaucoma Caucus, Whitestone, New York, for demonstration project in Southwest Texas to conduct screening for Glaucoma	500,000
Georgia Rural Water Association, Georgia Environmental Training and Education Authority for Small Community Water Fluoridation	50,000
Gertrude Barber Center, Erie, PA, for autism intervention & education	150,000
Greater Cleveland Asthma Outreach, Cleveland, OH, to expand asthma-related programs	150,000
Gwynedd-Mercy College School of Education, Gwynedd Valley, PA for the Prevention Education for Applied Creativity against Emerging Threats program	75,000
Haymarket Center, Chicago, Illinois, for a project to integrate chronic disease management with substance abuse treatment	500,000
Health Care Improvement Foundation, PA for a public health/bio-terrorism disaster communications project	100,000
Health Choice Network, Miami, FL for the Jessie Trice Cancer prevention project	350,000
Heidelberg College, Tiffin, Ohio, for equipment and staffing at the Water Quality Laboratory	350,000
Hult Health Education Center, Peoria, Illinois, for teacher training, technology equipment and curriculum development for a data collection program to integrate schools and community health resources	75,000
I Care Foundation, Bethesda, MD, for epidemiological studies related to Autism	50,000

Illinois State University, Normal, IL, for a Physical Education Obesity Prevention and Lifestyle Enhancement (PEOPLE) program	165,000
Inner Harmony Foundation, Clarks Summit, PA for implementation of the New Beginnings Integrative Cancer Care Program	250,000
Institute for Cancer Prevention in New York, NY to identify populations that have a decreased risk in developing cancer and Alzheimer's Disease, design mechanism-based strategies to prevent cancer and Alzheimer's Disease in the general population	3,000,000
Iowa Department of Education to provide free fruits and vegetables to schoolchildren	1,000,000
Iowa Health Foundation to continue a pilot program on chronic disease management	400,000
Iowa State University, Ames, IA for the Center for the Study of Violence to identify factors that contribute to the development of violence-prone individuals	166,000
Iowa State University, Ames, IA for the Center for Food Security and Public Health	1,000,000
Iron Disorders Institute in association with Penn State University, College of Medicine, Hershey, PA to establish a Center for the Study of Biometals	100,000
James Whitcombe Riley Hospital for Children, Indianapolis, IN, for continuation of autism programs at the Christian Sarkine Autism Treatment Center	500,000
Kent State University, Kent, OH, for The Northeast Ohio Alliance for Biopreparedness	750,000
Kids Health, Inc., Atlanta, GA, for an obesity prevention initiative	350,000
Kirkwood Community College in Cedar Rapids, IA for the National Mass Fatalities Institute	500,000
Lance Armstrong Foundation to perform services and programs in consultation with Families in Search of the Truth in Fallon, NV	100,000
Lance Armstrong Foundation, Austin, TX for the National Cancer Survivorship Resources Center	300,000
Lapeer Regional Hospital, Lapeer, MI, for an Asthma Intervention and Management Program	25,000
Lawton and Rhea Chiles Center for Healthy Mothers and Babies, University of South Florida, Tampa, FL, for the National Friendly Access Program	500,000
Lifestyle Advantage, Pittsburgh, PA for the Lifestyle Modification Program	150,000
Louisiana State University Health Sciences Center in New Orleans and Shreveport and the Tulane Health Sciences Center for a statewide, targeted effort for the detection and prevention of cancer	500,000
Main Line Health, Bryn Mawr, PA to create a computer system that will provide a standardized dosage mechanism that cross-checks for errors, allergies, and potential drug interaction	200,000
Marion Downs Hearing Center, Denver, CO for the creation of an international hearing center to provide services, resources, education and research to support the needs of individuals who are deaf and hard of hearing	3,000,000
Mecklenburg County, North Carolina, for Charlotte ALERT bioterrorism surveillance activities	300,000
Medical Institute for Sexual Health (MISH), Austin, TX, for the development of curricula for medical students and primary care residents related to sexual health	400,000
Mississippi Department of Education to provide free fruits and vegetables to schoolchildren	1,000,000
Monterey Institute, Center for Nonproliferation Studies, Monterey, CA, for enhancing bioterrorism preparedness	1,000,000
Montgomery County, PA for a pilot program to provide communications interoperability for fire, police, and EMS in the event of a bioterrorism event	150,000
Northeast Regional Cancer Institute, Scranton, PA to address the root cause of higher incidence of colorectal cancer in northeastern PA	100,000
Northern Arizona University, Flagstaff, AZ, for the Center for Bioterrorism Forensics and Genomic Research	300,000

Oral Vaccine Institute in Las Vegas, NV for the development of innovative vaccine delivery alternatives	900,000
Osteopathic Medical Center of Texas, Fort Worth, TX, for the study of the use of hyperbaric oxygen therapy for people with cerebral palsy and other disabling conditions	600,000
Partnership for Food Safety, Washington, DC, for The Fight BAC! campaign to reduce the incidents of foodborne illnesses	500,000
Pennsylvania Breast Cancer Coalition, Ephrata, PA for the development of a Pennsylvania health care insurance resource guide	25,000
Pennsylvania Tourette Syndrome Association Inc., Gettysburg, PA, to provide education, information services, and workshops regarding Tourette Syndrome	50,000
Pinnacle Health System, Harrisburg, PA to develop and implement Pinnacle Health System's "Safe Care Delivery System," to use innovative technologies in an effort to reduce medical errors	250,000
Pueblo Community Diabetes Project, Pueblo, CO, for a diabetes prevention initiative	150,000
Saint Vincent Health Center, Erie, PA for a cardiac disease management program	15,000
Save a Life Foundation, Schiller Park, IL, for training	1,175,000
Sister to Sister—Everyone Has a Heart Foundation to increase women's awareness of heart disease, Washington, DC	400,000
Slippery Rock University, Slippery Rock, PA, for the Center on Disability and Health to promote and encourage regular physical activity	161,000
South Dakota State University College of Pharmacy in Brookings, SD to support pharmacist immunization training	60,000
Spinal Muscular Atrophy Foundation, New York, NY for a spinal muscular atrophy initiative	100,000
State of Alaska Department of Health and Social Services Obesity Prevention and Control program	500,000
Texas Children's Hospital, Houston, Texas, for a Childhood Obesity Project	350,000
Thaddeus Stevens College of Technology, Lancaster, PA, for improved first responder communications	25,000
University of Findlay Center for Terrorism Preparedness, Findlay, OH	250,000
University of Georgia Center for Leadership in Education and Applied Research in Mass Destruction Defense (CLEARMADD) to train public health professionals	225,000
University of Kentucky Research Foundation, Lexington, KY, to establish a state-of-the-art early detection and outreach program for a rural population with high incidences and low survivability of lethal cancers, including lung, esophageal, pancreatic, and liver cancer	1,000,000
University of Kentucky, Lexington, KY, Center for Improving Medication Related Healthcare Outcomes to identify medication errors	1,000,000
University of Louisville Research Foundation, Louisville KY, for the Center for Oral Health and Systemic Disease	700,000
University of Louisville, Cardiovascular Innovation Institute, Louisville, KY, for a Cardiac Regeneration Program	1,500,000
University of Louisville, Center for the Deterrence of Bioterrorism and Biowarfare, Louisville, KY, to educate public health officials in detecting and responding to biological attacks	1,500,000
University of Nebraska Medical Center, National Biosecurity Center for Rural Health, Omaha, NE, to develop and expand an electronic system to address the threat of bioterrorism	1,000,000
University of North Texas Health Science Center at Forth Worth, TX, for diabetes prevention and control	1,500,000
University of Northern Iowa, Youth Fitness and Obesity Institute, Cedar Falls, IA for an evaluation of preschool health programs	525,000
University of Oklahoma, Norman, OK for the Center for Chemical, Biological, Radiological and Nuclear (CBRN) Countermeasures	400,000
University of Pittsburgh Medical Center, Pittsburgh, PA for the Strategic Medical Intelligence Initiative	150,000

University of Pittsburgh, Center for Sports Medicine, Pittsburgh, PA, to determine the prevalence of knee injuries in female athletes	100,000
University of South Alabama, Mobile, AL for the Alabama Birth Defects Monitoring and Prevention Center	250,000
University of South Alabama, Mobile, AL for the Diabetic Lower Extremity Amputation Prevention Program	400,000
University of Tennessee, Department of Nutrition, Knoxville, TN, for the Tennessee on the Move initiative	500,000
Visiting Nurse Association Healthcare Partners of Ohio, Cleveland, OH, for the VNA—Healthy Town program	500,000
Washington and Jefferson College, Washington, PA for Lyme disease prevention efforts	100,000
Wayne County Michigan, Detroit, Michigan, for an infant mortality prevention, education and outreach project	200,000

Office of the Director

The conference agreement includes $59,707,000 for the activities of the Office of the Director, the same as proposed by the Senate. The House proposed $49,707,000 for the Office of the Director.

The conferees understand that CDC has elevated its Office of Genomics and Disease Prevention to the Office of the CDC Director and encourage CDC to continue its work to integrate genomics across public health research and practice.

The conferees understand the urgent need to contact, inform, and mobilize physicians during public health emergencies. The conferees encourage the CDC to form partnerships with entities and organizations that have databases of physician contact information to facilitate rapid communication of public health alerts.

The conferees urge CDC to continue its efforts to address the unique needs of Native Hawaiians on dialysis in a culturally sensitive manner.

The conferees are aware of potential cost savings that may result from improved information technology, administrative, and management processes and practices. The conferees intend that any savings accrued in fiscal year 2004 as a result of these improvements must come only from internal operational savings of the agency, and may be refocused only into other intramural activities or extramural Public Health Research activities related to the purposes for which those funds were originally appropriated.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

The conference agreement includes $4,770,519,000 for the National Cancer Institute as proposed by both the House and the Senate.

To increase the likelihood of a cure for every child with cancer, the conferees urge NCI to increase its support of translational research to accelerate the pace of pediatric cancer clinical trials. The existing NCI-supported national infrastructure of a clinical trials network should be the dominant component of this accelerated effort.

The conferees encourage the Director of NCI to establish a task force to explore the continuing unique needs of the peoples of Hawaii and the Pacific Basin region.

The conferees concur with language in the House report regarding the importance of the collaboration between NCI and CDC regarding tobacco harm reduction. In addition, the conferees urge the NCI to examine what additional scientific research is needed to determine the relative risks of different tobacco products.

NATIONAL HEART, LUNG AND BLOOD INSTITUTE

The conference agreement includes $2,897,145,000 for the National Heart, Lung and Blood Institute instead of $2,897,595,000 as proposed by the Senate and $2,867,995,000 as proposed by the House.

The conferees encourage NHLBI, in collaboration with the Office of Rare Diseases, to develop standards of care for pulmonary and cardiac complications associated with Duchenne muscular dystrophy.

The conferees urge NHLBI to develop a set of treatment guidelines for von Willebrand disease and further urge the Institute to work with medical associations and experts in the field when developing such guidelines.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

The conference agreement includes $385,796,000 for the National Institute of Dental and Craniofacial Research instead of $386,396,000 as proposed by the Senate and $382,396,000 as proposed by the House.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

The conference agreement includes $1,682,457,000 for the National Institute of Diabetes and Digestive and Kidney Diseases instead of $1,683,007,000 as proposed by the Senate and $1,670,007,000 as proposed by the House. An amount of $150,000,000 is also available to the Institute through a permanent appropriation for juvenile diabetes.

The conferees recognize the research supported by the NIDDK digestive diseases branch that is dedicated to the treatment of functional gastrointestinal disorders, which include irritable bowel syndrome. In addition to this important research, the conferees encourage the digestive diseases branch to support and fund basic, translational and clinical research dedicated to developing effective diagnostic tests and innovative treatments for gastrointestinal motility disorders involving enteric neuromuscular dysfunction including, but not limited to, chronic intestinal pseudo-obstruction, gastroparesis, and colonic inertia.

The conferees were pleased to learn of the recent discovery that an existing drug, already used on humans to treat irregular fluid retention has also been found to retard cyst production and disease progression in polycystic kidney disease. The conferees urge NIDDK to conduct clinical trials to follow up on these recent breakthroughs.

Branched chain ketoaciduria is a rare inherited disorder that prevents the proper metabolism of the three branched-chain amino acids found in all protein, and can lead to mental retardation,

physical disabilities and death. The conferees are aware of modeling research currently being performed on mice, with the goal of finding a permanent cure for the disease. The conferees encourage NIDDK to provide support for this type of research and other branched chain ketoaciduria-related research.

The conferees applaud NIDDK for their efforts to combat childhood obesity and encourage them to consider particular use of the CDC's Prevention Research Centers as a mechanism through which to award competitive grants for this initiative.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

The conference agreement includes $1,510,776,000 for the National Institute of Neurological Disorders and Stroke instead of $1,468,926,000 as proposed by the House and $1,510,926,000 as proposed by the Senate.

The conferees urge NINDS to increase its overall investment in multiple sclerosis (MS) research. Special emphasis on imaging, biological markers and clinical trials for new therapeutics should be areas of high priority. The conferees are pleased to note the development of a joint symposium on MS genetics sponsored by NINDS and the National MS Society, and encourage the Institute to take a more active role at the NIH in furthering MS genetics research by developing collaborative strategies with the National Human Genome Research Institute and other relevant NIH institutes. The conferees request that NIH report back to Congress no later than September 30, 2004 with progress in its efforts to expand its commitment to multiple sclerosis. The conferees also are pleased to note a major success in past years in the creation of a joint collaborative research program in "gender and immunity" between the National Institute on Allergy and Infectious Diseases (NIAID) and a major voluntary association for the disease, in which NINDS participates. The conferees encourage NINDS to seek similar collaborative activities related to MS.

The conferees urge NINDS, in collaboration with the National Institute on Arthritis and Musculoskeletal and Skin Diseases and the National Institute of Child Health and Human Development, to accelerate clinical trials to improve treatment for patients with Duchenne muscular dystrophy. The conferees encourage NINDS to actively seek and assess clinical trial proposals and to expedite the review process for clinical research in Duchenne muscular dystrophy. The conferees strongly encourage the funding of three additional centers of excellence by the end of fiscal year 2004.

Stroke is the second leading cause of death among women worldwide and kills more than twice as many women as do breast cancer and AIDS combined. Recognizing that women are the single largest group at risk for death from stroke, the conferees believe that special attention should be focused on better understanding the gender differences with specific attention to stroke related to pregnancy; the use of oral contraceptives; and the impact of postmenopausal hormone replacement therapy on stroke risk. The conferees further urge NIH to increase research into new therapies for stroke in women as well as ways of enhancing the vascular health of all Americans, including (1) a clinical trial of carotid endarterectomy and angioplasty/stenting in women, (2) observa-

tional research on differences in the way men and women present with stroke symptoms, and (3) studies of differences in how men and women respond to FDA-approved antiplatelet agents for recurrent stroke prevention.

The conferees strongly support NIH's initiatives toward advancing the organization of stroke care and the identification of stroke treatment and research centers that would provide rapid, early, continuous 24–hour treatment to stroke victims, including the use of the clot-buster t-PA, when appropriate.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

The conference agreement includes $4,335,155,000 for the National Institute of Allergy and Infectious Diseases instead of $4,335,255,000 as proposed by both the House and the Senate.

The conference agreement includes bill language permitting the transfer of $150,000,000 to International Assistance Programs, Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis as proposed by the Senate instead of $100,000,000 as proposed by the House.

The conferees encourage NIAID to enhance its research efforts to identify the cause of eosinophilic-myalgia syndrome and to characterize better the pathophysiological events of this disease. The conferees support the Institute's efforts to support a workshop in 2004 to evaluate the current state of knowledge on EMS. The conferees anticipate that the workshop will identify new scientific opportunities related to the pathogenesis of EMS and improved diagnosis, treatment and prevention strategies.

The conferees are concerned about the pace of research in the area of chronic fatigue and immune dysfunction syndrome. The conferees encourage NIAID, in collaboration with NINDS and NIMH, to increase its research portfolio in the areas of CFIDS. The conferees further request that the NIH report to the Committees on Appropriations by March 1, 2004, on the number of grants specifically devoted to CFIDS research, over the past five years.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

The conference agreement includes $1,916,333,000 for the National Institute of General Medical Sciences instead of $1,923,133,000 as proposed by the House and $1,917,033,000 as proposed by the Senate.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

The conference agreement includes $1,250,585,000 for the National Institute of Child Health and Human Development instead of $1,245,371,000 as proposed by the House and $1,251,185,000 as proposed by the Senate.

The conferees urge NICHD to continue its cooperation and participation in the Duchenne Muscular Dystrophy programs of the National Institute on Arthritis and Musculoskeletal and Skin Diseases and NINDS. The conferees commend NICHD for its involvement in the Paul Wellstone Centers of Excellence programs for Muscular Dystrophy, and urge its ongoing commitment to assist the funding of clinical trials proposals and expedite the review

process for clinical research in Duchenne Muscular Dystrophy, in addition to its investment in new Centers of Excellence.

NATIONAL EYE INSTITUTE

The conference agreement includes $657,199,000 for the National Eye Institute as proposed by the Senate instead of $648,299,000 as proposed by the House.

The conferees commend the NIH Director's initiative to advance translational clinical research through the joint efforts of the various Institutes, often in partnership with private organizations focused on clinical research and patient participation. The conferees are aware of a proposal for a national conference on translational clinical research for orphan eye diseases. The Director of the NEI is encouraged to consider providing support for this important effort.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The conference agreement includes $636,974,000 for the National Institute of Environmental Health Sciences instead of $630,774,000 as proposed by the House and $637,074,000 as proposed by the Senate.

The conferees recognize the complex environmental exposures faced by the residents of rural areas. NIEHS is urged to address rural environmental concerns through its environmental health sciences core centers program.

The conferees encourage NIEHS to continue its support for critical research required to fill data gaps in environmental health, with special concern for children's health, including the effects of mixtures of chemicals on developing nervous systems; accurate exposure levels for environmental chemicals; and the development of predictive models of chemical effects on developing systems. The conferees encourage the NIEHS to collaborate with the CDC on research focused on environmental chemical mixtures and computational modeling.

NATIONAL INSTITUTE ON AGING

The conference agreement includes $1,031,311,000 for the National Institute on Aging instead of $994,411,000 as proposed by the House and $1,031,411,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

The conference agreement includes $504,300,000 for the National Institute of Arthritis and Musculoskeletal and Skin Diseases instead of $502,778,000 as proposed by the House and $505,000,000 as proposed by the Senate.

The conferees urge NIAMS, in collaboration with NINDS and NICHD, to accelerate clinical trials to improve treatment for patients with Duchenne muscular dystrophy. The conferees encourage NIAMS to actively seek and assess clinical trial proposals and to expedite the review process for clinical research in Duchenne mus-

cular dystrophy. The conferees encourage the funding for three additional centers of excellence by the end of fiscal year 2004.

The conferees commend NIAMS for conducting a workshop on the "Burden of Skin Diseases." The workshop participants found that there was a lack of specific data on this topic and recommended that general and skin disease-specific measures of the burden of skin disease be developed in order to generate data on the incidence, prevalence, economic burden, quality of life, disability, and handicaps attributable to these diseases. The conferees request that NIAMS provide a detailed action plan of Institute activities to effectively implement the recommendations of the workshop participants.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

The conference agreement includes $384,477,000 for the National Institute on Deafness and Other Communication Disorders instead of $380,377,000 as proposed by the House and $384,577,000 as proposed by the Senate.

NATIONAL INSTITUTE OF NURSING RESEARCH

The conference agreement includes $135,555,000 for the National Institute of Nursing Research instead of $134,579,000 as proposed by the House and $135,579,000 as proposed by the Senate.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

The conference agreement includes $431,471,000 for the National Institute on Alcohol Abuse and Alcoholism instead of $430,121,000 as proposed by the House and $431,521,000 as proposed by the Senate.

NATIONAL INSTITUTE ON DRUG ABUSE

The conference agreement includes $997,414,000 for the National Institute on Drug Abuse instead of $995,614,000 as proposed by the House and $997,614,000 as proposed by the Senate.

NATIONAL INSTITUTE OF MENTAL HEALTH

The conference agreement includes $1,390,714,000 for the National Institute of Mental Health instead of $1,382,114,000 as proposed by the House and $1,391,114,000 as proposed by the Senate.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

The conference agreement includes $482,222,000 for the National Human Genome Research Institute instead of $478,072,000 as proposed by the House and $482,372,000 as proposed by the Senate.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

The conference agreement includes $288,900,000 for the National Institute of Biomedical Imaging and Bioengineering instead

of $282,109,000 as proposed by the House and $289,300,000 as proposed by the Senate.

NATIONAL CENTER FOR RESEARCH RESOURCES

The conference agreement includes $1,186,183,000 for the National Center for Research Resources instead of $1,053,926,000 as proposed by the House and $1,186,483,000 as proposed by the Senate.

The conference agreement includes bill language to earmark $119,220,000 for extramural facilities construction grants as proposed by the Senate. The House did not provide funding for extramural facilities construction.

Within the total provided for NCRR, the conference agreement includes $215,000,000 for the Institutional Development Awards (IDeA) program and $320,000,000 for the General Clinical Research Centers as proposed by the Senate.

The conferees are pleased with reports of the ongoing successes of the Science Education Partnerships Award (SEPA) program. The NCRR is urged to continue soliciting and funding additional SEPA grant applications from science centers and other eligible entities.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

The conference agreement includes $117,752,000 for the National Center for Complementary and Alternative Medicine instead of $116,202,000 as proposed by the House and $117,902,000 as proposed by the Senate.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

The conference agreement includes $192,724,000 for the National Center on Minority Health and Health Disparities as proposed by the House instead of $192,824,000 as proposed by the Senate.

JOHN E. FOGARTY INTERNATIONAL CENTER

The conference agreement includes $65,800,000 for the John E. Fogarty International Center instead of $64,266,000 as proposed by the House and $65,900,000 as proposed by the Senate.

NATIONAL LIBRARY OF MEDICINE

The conference agreement provides $319,835,000 for the National Library of Medicine, of which $311,635,000 is from budget authority and $8,200,000 is from amounts available under section 241 of the Public Health Service Act to carry out the National Information Center on Health Services Research and Health Care Technology. The House had provided $316,040,000, entirely from budget authority, and the Senate had provided $320,035,000, of which $311,835,000 was from budget authority and $8,200,000 was from section 241 authority.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $329,707,000 for the Office of the Director instead of $317,983,000 as proposed by the House and $323,483,000 as proposed by the Senate.

The conference agreement includes bill language identifying $7,500,000 for the purposes identified in general provision 221.

The conference agreement provides $500,000 for the Foundation for the National Institutes of Health as proposed by the House instead of $497,000 as proposed by the Senate.

The conferees concur with the guidance in the Senate report regarding limits for NIH reprogramming requests.

The conferees concur in the House report language indicating that the proposal to multi-year fund some or all NIH grants is not approved.

The conferees recognize that breakthroughs in the physical sciences underpin many of the remarkable advances in the life sciences that have been achieved during the last century. Increasingly, the boundaries between the life sciences and the physical sciences are being blurred, as capacities and talents bridging the disciplines are essential for modern experimentation and discovery. Accordingly, the conferees believe that a major effort must be undertaken to promote the advancement of research at the interface between the life sciences and the physical sciences. This interface occurs in many agencies including NIH, NSF, Office of Science, Department of Energy, DARPA, NASA, NOAA, and others. The conferees commend NIH for its plans to evaluate, as part of the NIH Roadmap process, what steps need to be taken to encourage progress in the physical sciences that will provide support and underpinning for future advances in the life sciences and to convene a conference to discuss this issue with other Federal agencies.

The conferees commend NIH for recently awarding nine five-year grants to expand research on autoimmune disease and to increase the number of autoimmunity centers of excellence. This coordinated approach, under the NIH Autoimmune Diseases Coordinating Committee, involves the full spectrum of NIH Institutes. It marks a promising start in implementing the recommendations of the NIH Autoimmune Diseases Research Plan.

The Committee encourages the Office of Rare Diseases to work in association with NINDS in studying Niemann-Pick Type C, a rare metabolic disorder in which harmful quantities of cholesterol and other fatty substances accumulate in the spleen, liver, lungs, bone marrow and most often in the brain.

The conferees urge NIH to support the efforts of universities, medical schools, scientific societies and other groups that are working to develop and implement a system for voluntary, peer-driven accreditation of organizations throughout the country which are engaged in research involving human subjects.

The conferees encourage the Office of Dietary Supplements and NCCAM to review and consider funding research to elucidate the mechanisms of action of the B vitamins and antioxidant phytochemicals in berries so that work in animal models can be extended to human studies. Research with animals has shown that

diets containing berry fruits (such as blueberries) as well as B vitamins can forestall and perhaps reverse many of the neurological changes that are associated with age-related neurodegenerative conditions such as Parkinson's and Alzheimer's disease.

BUILDINGS AND FACILITIES

The conference agreement includes $89,500,000 for buildings and facilities as proposed by the Senate instead of $80,000,000 as proposed by the House.

The conference agreement includes language granting full scope authority for the contracting of construction of the first and second phases of the John E. Porter Neurosciences Building as proposed by the Senate. The House did not have a similar provision.

Due to extensive community concerns about the proposed construction of a BSL–3 lab on NIH's main Bethesda, MD campus, the conferees expect NIH to: (1) submit a report to the Senate and House Appropriations Committees within 60 days of enactment of this Act detailing the reasons why NIH believes the lab should not be built at Fort Detrick, MD; (2) provide the community with detailed information regarding ongoing risk assessments and proposed safety policies to protect NIH employees and the local community; and (3) provide a mechanism for ongoing involvement between NIH and the local community to provide information about lab safety, research, and activities.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

The conference agreement includes $3,370,813,000 for substance abuse and mental health services, of which $3,253,763,000 is provided through budget authority and $117,050,000 is provided through the evaluation set-aside. The House bill had proposed $3,345,000,000 for SAMHSA, of which $16,000,000 was from the evaluation set-aside and the Senate proposed $3,274,590,000, of which $117,050,000 was from the evaluation set-aside. The conference agreement includes bill language establishing a limitation of five percent of the block grant appropriation for funding of data collection activities as proposed by the Senate.

Within the total provided, the conference agreement includes funding at no less than the fiscal year 2003 level for activities throughout SAMHSA that are targeted to address the growing HIV/AIDS epidemic and its disparate impact on communities of color.

The conference agreement includes bill language identifying $14,985,000 for projects in the amounts specified in the statement of the managers on the conference report.

CENTER FOR MENTAL HEALTH SERVICES

The conference agreement includes $242,379,000 for programs of regional and national significance instead of $237,000,000 as proposed by the House and $237,667,000 as proposed by the Senate.

Within the total provided, the conference agreement provides $95,000,000 for counseling services for school-aged youth as proposed by the Senate. As proposed by the Senate, $3,000,000 is provided to support the National Suicide Prevention Resource Center, and continued support is provided for the Suicide Prevention Hotline program at the fiscal year 2003 level.

Within the total provided, $30,000,000 is provided under section 582 of the Public Health Service Act to support grants to local mental health providers for the purposes of developing knowledge of best practices and providing mental health services to children and youth suffering from post-traumatic stress disorder as a result of having witnessed or experienced a traumatic event.

The conference agreement includes $2,500,000 for a nationwide, three-year public service campaign to reduce the stigma of mental illness. The conferees expect SAMHSA to work in partnership with a private, non-profit agency that is the leading producer of public service advertisements (PSAs) and is able to use the services of volunteer advertising agencies and donated media.

The conferees are concerned about the problem of chronic homelessness across the Nation. Within the total for mental health programs of regional and national significance, the conference agreement provides funds at no less than the fiscal year 2003 level for programs addressing homelessness.

The conference agreement provides $2,000,000 to continue the current level of funding for the consumer and consumer-supporter national technical assistance centers as proposed by the Senate. The conferees direct CMHS to support multi-year grants to fund five such national technical assistance centers.

The conference agreement provides $5,000,000 to continue the elderly treatment and outreach program.

As proposed by the House, the conference agreement provides $7,000,000 for the jail diversion program.

The conferees include the following amounts for the following projects and activities in fiscal year 2004:

AgriWellness, Inc. in Harlan, Iowa, for the Sowing the Seeds of Hope rural mental health project	$160,000
Alfred University, Alfred, NY for the Lea R. Powell Institute for Children and Families: Improving Access to High Quality Mental Health Services in Underserved, Isolated Rural Areas	500,000
American Red Cross, Lower Bucks County Chapter, Levittown, PA for the Homeless Services Program	200,000
Bellefaire Jewish Children's Bureau, Cleveland, OH for the Social Advocates for Youth (SAY) project	500,000
Boone Community Family Center, Philadelphia, PA to develop and implement adolescent suicide prevention pilot program in Philadelphia schools	50,000
Cheyenne River Sioux Tribe in Eagle Butte, South Dakota for mental health services	225,000
CONTACT of Mercer County, Trenton, NJ	35,000
Dauphine County department of Human Services, Dauphin County, PA for the Mental Health Court Program to help the Dauphin County courts and prisons work with individuals with mental health and substance abuse problems	100,000
Deschutes County, Oregon, to develop a program providing mental health services for rural communities	100,000
Family Communications Inc. in Pittsburgh, PA, for an antiviolence program entitled the National Project Managing Anger, Promoting Safety	100,000

Institute for the Study and Practice of Nonviolence of Providence, RI for the Streetworkers Program to reduce youth crime, violence and drug abuse	50,000
Jewish Association for Residential Care, Farmington Hills, MI	150,000
KidPeace, Orefield, PA to diagnose children with mental health problems	100,000
Lawrence Hall Youth Services in Chicago, Illinois for mental health and related support services	50,000
Mental Health Center of Dane County, Inc., Madison, WI to provide culturally appropriate mental health services to the Hmong community	100,000
Noah's Ark—A Safe Place, Inc., for mental and emotional counseling for young men in several Pennsylvania counties	150,000
Northwestern Academy, Lafayette Hill, PA for equipment and personnel to provide for a program to diagnose and treat delinquent, mentally ill adolescents through the delivery of comprehensive psychological and psychiatric services	100,000
Oklahoma Department of Mental Health and Substance Abuse Services, Oklahoma City, for the Substance Abuse and Mental Health Cross Training Initiative	50,000
Potter County Human Services, Roulette, PA for a Youth Community Awareness program that will provide community outreach and assistance to address the rising number of teen suicides in Potter County	75,000
See Forever Foundation, Washington, DC to provide the mental health services needed by the students of the Maya Angelou Public Charter School	400,000
Temple University, Center for Social Policy and Community Development, Philadelphia, PA to develop and implement a two-pronged Adolescent Suicide Prevention Pilot Program	1,000,000
Ventura County Probation Agency, Ventura, CA for the Emotionally Challenged Juvenile Offender Intervention Program	500,000
Western Psychiatric Institute and Clinic, Pittsburgh, PA for Computerized Decision Support for Chronic Care Management of Psychiatric Disorders	250,000
Women's Crisis Center, Covington, KY, to provide rape counseling, community outreach and related mental health programs	100,000

The conference agreement includes $437,140,000 for the mental health block grant, which includes $21,850,000 from the evaluation set-aside as proposed by the Senate, instead of $435,000,000 as proposed by the House. The House proposed funding to SAMHSA through direct appropriation rather than using the evaluation set-aside.

The conference agreement includes $103,026,000 for children's mental health grants rather than $108,000,000 as proposed by the House and $98,052,000 as proposed by the Senate.

The conference agreement provides $50,055,000 for grants to States for the homeless (PATH) as proposed by the House rather than $47,073,000 as proposed by the Senate.

The conference agreement includes $34,825,000 for protection and advocacy instead of $33,870,000 as proposed by the House and $35,779,000 as proposed by the Senate.

CENTER FOR SUBSTANCE ABUSE TREATMENT

The conference agreement includes $421,975,000 for programs of regional and national significance instead of $417,278,000 as proposed by the House and $327,071,000 as proposed by the Senate.

Within funds provided, $100,000,000 is for the new drug and alcohol treatment voucher initiative as proposed by the House. The

Senate did not include funding for this program. The conferees applaud the Administration for proposing this initiative, the Access to Recovery program, which will provide much-needed funds to increase capacity and expand access to alcohol and drug treatment. The conferees expect that the new voucher program will support evidenced-based practice and will provide medically appropriate treatment for individuals needing care. To this end, the conferees expect that States and providers receiving funds under this program will use assessment and placement criteria developed by national experts, such as the American Society of Addiction Medicine. The conferees support the Administration's goal of opening new pathways to treatment. At the same time however, the conferees direct that all providers participating in the Access to Recovery program should be held accountable to the same standards of care, performance, licensure and certification requirements as other licensed or certified drug and alcohol programs in their respective States. The conferees direct SAMHSA to report to the House and Senate Committees on Appropriations 30 days after Access to Recovery funds are distributed regarding the States that applied for and received grants, the amount awarded to each State, and the services each State will provide with these funds. Furthermore, no funds shall be expended under this Act for the implementation of the Access to Recovery voucher program other than those funds specifically provided for by the conferees.

The conference agreement provides $10,000,000 for treatment programs for pregnant, postpartum and residential women and their children as proposed by the Senate.

The conferees are concerned about the problem of chronic homelessness across the Nation. Within the total for substance abuse treatment programs of regional and national significance, the conference agreement provides funds at no less than the fiscal year 2003 level for programs addressing homelessness.

The conference agreement provides $33,901,000 for targeting specific treatment approaches for adolescents and young adults. The conferees are aware that there are becoming fewer treatment options for teens and young adults and provide this funding to address that specific treatment gap.

Included in the conference agreement is $35,000,000 for targeted capacity expansion for general populations, as proposed by the Senate.

The conferees have not included funds for the Screening, Brief Intervention, Referral and Treatment (SBIRT) program and direct that none of the funds provided in this Act for existing programs shall be reduced below fiscal year 2003 levels to fund the SBIRT program.

The conferees include the following amounts for the following projects and activities in fiscal year 2004:

19th Judicial District Drug Court, Baton Rouge, LA, to implement a 28-Bed Residential Program at the Earl K. Long Hospital	$71,000
Akeela, Inc. Re-Entry Program, Anchorage, AK to increase retention at Akeela House by re-establishing a cultural component to the treatment environment, and to enhance transition of inmates from prison-based treatment programs back into the community	200,000
Alaska Christian College, Soldotna, AK for operations of residential substance abuse program for adolescents	150,000

Baltimore City, to expand drug treatment services	1,000,000
Behavior Management Systems in Rapid City, South Dakota for substance abuse treatment	250,000
Cedar Valley Friends of the Family, Inc., Waverly, IA	100,000
Center for the Study of Addiction at Texas Tech University, Lubbock, TX	250,000
City of Wrangell, AK for its Avenues Program to provide comprehensive substance abuse treatment services for the community	100,000
Community Services for Children, Allentown, PA to remediate and reverse the impact of drug use by pregnant mothers on their newborn infants	50,000
Cook Inlet Council on Alcohol and Drug Abuse, Kenai, AK for treatment of women and children with substance abuse problems	200,000
Doe Fund, Inc., Philadelphia, PA to provide substance abuse treatment services	100,000
Fairbanks Community Initiative for Chronic Inebriates, Fairbanks, AK to operate community programs to provide treatment and services to chronic inebriates	700,000
Healing Place, Louisville, KY	113,000
Institute for Research, Education, and Training In Addictions (IRETA), Pittsburgh, PA to implement and complete several major model projects concerning alcohol and drug use	200,000
Iowa Office of Drug Control Policy, Des Moines, to develop Drug Endangered Children rapid response teams that will intervene on behalf of children exposed to methamphetamine as a result of residing in a home-based clandestine drug laboratory	146,000
Municipality of Anchorage for comprehensive substance abuse treatment services, focusing on transitional populations	500,000
Pinon Hills Residential Treatment Center in Valarde, New Mexico	150,000
Ramsey County ACE Program, Minnesota to provide staffing for a research-based early intervention program for children under 10 at high risk for serious, violent and chronic juvenile delinquency	50,000
Recovery Options for Addictive Disorders (ROADS), Fort Worth, TX for outpatient treatment services and to continue the ROADS project	400,000
Second Chance Program, La Mesa, CA, for a substance abuse rehabilitation demonstration transition program in the New Mexico State prison system	350,000
University of South Florida, Louis de la Parte Florida Mental Health Institute, Tampa, FL for the National Implementation Research Network	500,000
Vinland National Center, Loretto, MN to provide chemical dependency treatment services for individuals with co-occurring disorders	200,000
Wayne County, MI for the Anti-addiction Treatment Project to pilot a treatment protocol that blocks the craving for heroin	350,000
Yankton Sioux Tribe in Marty, South Dakota for substance abuse treatment at Canku Teca	200,000

The conference agreement includes $1,789,235,000 for the Substance Abuse Prevention and Treatment Block Grant, of which $1,710,035,000 is budget authority and $79,200,000 is provided through the PHS evaluation funding tap. The House bill had proposed $1,774,538,000 and the Senate proposed $1,803,932,000, of which $79,200,000 was derived through the evaluation tap. The conference agreement includes bill language establishing a limitation of five percent of the block grant appropriation for funding of data collection activities as proposed by the Senate.

CENTER FOR SUBSTANCE ABUSE PREVENTION

The conference agreement includes $199,763,000 for programs of regional and national significance instead of $198,000,000 as

proposed by the House and $194,306,000 as proposed by the Senate.

The conference agreement provides $5,000,000 to continue and expand the program funded for the last two years regarding ecstasy and other club drugs as proposed by the Senate.

Included in the conference agreement is $10,000,000 for Fetal Alcohol Syndrome/Fetal Alcohol Effect (FAS/FAE) prevention and treatment programs, with an emphasis on teenage mothers as proposed by the Senate.

The conferees include the following amounts for the following projects and activities in fiscal year 2004:

Abraham Hall Emergency Youth Shelter, Paducah, KY	$75,000
Centre County, PA, to implement, in coordination with Clinton County, educational programming targeting the prevention of drug use by students	200,000
Clinton County Communities That Care, Lock Haven, PA, for a program that helps families cope with drug and behavioral problems	100,000
Coalition for a Safe and Drug Free St. Petersburg, Inc., St. Petersburg, FL	500,000
Community Health Center on the Big Island of Hawaii for Youth Anti-Drug Program	250,000
Corporate Alliance for Drug Education, Bala Cynwyd, PA for an elementary school-based prevention program to teach children to reject substance abuse and violence while helping them to identify positive alternatives to harmful situations	250,000
District Attorney of the 24th Judicial District of Louisiana, Gretna, LA for Jefferson Parish SE Louisiana Drug Prevention and Education Program	300,000
Drug Free Pennsylvania, Inc., Harrisburg, PA, for a media literacy project to prevent drug use by students	25,000
DuPage County, Psychological Services, Wheaton, IL for the DuPage Prevention Partnership ti initiate treatment, intervention and prevention services targeted at reducing substance abuse, violence, juvenile and community crime county-wide	260,000
Lea County, New Mexico for substance abuse counseling and treatment of detention center residents	350,000
National Association of Alcoholism and Drug Abuse Counselors, Alexandria, VA, to recruit, retain, and train alcohol and other drug treatment professionals in Ohio	100,000
Security on Campus, Inc., King of Prussia, PA, to distribute educational materials to high schools in Pennsylvania aimed at informing students of the high risks of underage and binge drinking	25,000
Stone Soup Group, Anchorage, AK to expand services to FAS/FAE children and their families	200,000
University of Cincinnati, College of Education, Center for Prevention Studies, Cincinnati, OH for Ohio Bridgebuilders	500,000
University of South Dakota School of Medicine Center for Disabilities in Sioux Falls, SD to continue the work of the Consortium of Fetal Alcohol Syndrome	475,000

PROGRAM MANAGEMENT

The conference agreement includes $92,415,000 for program management, of which $16,000,000 is provided through the evaluation set-aside. The House bill had proposed $91,259,000 and the Senate bill had proposed $93,570,000.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

The conference agreement includes $303,695,000 as proposed by both the House and Senate. The agreement provides all these funds through the policy evaluation set-aside.

The conference agreement provides $79,500,000 for reducing medical errors instead of $75,000,000 as proposed by the House and $84,000,000 as proposed by the Senate. The agreement includes modified House bill language identifying $12,000,000 for the conduct of research on the comparative clinical effectiveness, cost-effectiveness and safety of drugs and devices. The conferees understand that the agency will use grants, contracts and other funding mechanisms to support the Administration's patient safety hospital information technology initiative.

The conferees concur with the Senate report language urging AHRQ to support evidence-based research focused on the relationship between metabolic genes and drug efficacy and safety.

The conferees concur in the House report language regarding public-private sector partnerships in the adoption and use of standards and technology to support quality and safety.

The conferees believe health services research can address the real and growing threats to the quality of care and patient safety created by an inadequate supply of nurses. The conferees encourage AHRQ to continue to support research that further promotes patient safety by understanding linkages to the work environment, retention of nurses, the impact of an aging nurse workforce, and outcomes of care. This research should include the development of data needed to conduct the research and should be undertaken in collaboration with the Division of Nursing within HRSA, the National Institute of Nursing Research, and other relevant agencies.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

The conference agreement provides $130,892,197,000 for Medicaid grants as proposed by the House instead of $124,892,197,000 as proposed by the Senate. These funds meet the requirements of the temporary increase in the Federal match rate provided in Public Law 108–27.

The conferees have been made aware of concerns from the City of San Juan, Puerto Rico related to the disbursement of Federal Medicaid funds to its municipal health care system. The conferees direct CMS to expand and update its study of the issues related to the current disbursement system of Federal Medicaid to providers in the City of San Juan, so as to ensure that eligible beneficiaries have access to Medicaid-covered health care services. Such a study should examine any existing barriers to care and the adequacy of the provider network, as well as any lack of capacity that may exist as a result of the current system. CMS is further directed to report the findings of this study back to the Committee on Appropriations no less than six months after the enactment of this Act.

PROGRAM MANAGEMENT

The conference agreement includes $2,664,994,000 for program management instead of $2,698,025,000 as proposed by the House and $2,707,603,000 as proposed by the Senate. An additional appropriation of $720,000,000 has been provided for the Medicare Integrity Program through the Health Insurance Portability and Accountability Act of 1996.

The conference agreement includes $78,791,000 for research, demonstration, and evaluation instead of $27,918,000 as proposed by the House and $67,400,000 as proposed by the Senate. Within the total provided, the conference agreement provides $40,000,000 for Real Choice Systems Change Grants to States and $6,000,000 is provided for a national demonstration to address workforce shortages of community service direct care workers. These two provisions were included in the Senate bill but not the House bill. The conferees concur in Senate report language regarding program management techniques for long-term care systems. The conferees are pleased with the demonstration project at participating sites licensed by the Program for Reversing Heart Disease and encourage its continuation. The conferees further urge CMS to continue with the demonstration project being conducted at the Mind Body Institute of Boston, Massachusetts. The conferees urge CMS to continue its research activities targeted towards ensuring culturally sensitive health care for American Samoans.

The agreement includes bill language for the following projects and activities for fiscal year 2004:

Advocate Health Care in Oak Brook, IL for health education programs and services to the deaf and hard-of-hearing	$100,000
AIDS Healthcare Foundation in Los Angeles for a demonstration of residential and outpatient treatment facilities	1,750,000
Berwick Hospital Center, Berwick, PA for stabilizing the workforce for patient care	250,000
Bloomsburg Hospital, Bloomsburg, PA for stabilizing the workforce for patient care	163,000
Cheyenne River Sioux Tribe in Eagle Butte, SD to establish a nursing home	275,000
Community Medical Center, Scranton, PA for stabilizing the workforce for patient care	778,000
Cook County (IL) Bureau of Health Services to improve the management of vulnerable patients with poorly controlled diabetes	150,000
Divine Providence Hospital, Williamsport, PA for stabilizing the workforce for patient care	178,000
Geisinger Wyoming Valley Medical Center, Wilkes-Barre, PA for stabilizing the workforce for patient care	267,000
Hazleton General Hospital, Hazleton, PA for stabilizing the workforce for patient care	237,000
Hope Worldwide, Philadelphia, PA to maintain clinical care for recovering drug and alcohol addicts	25,000
Illinois Primary Health Care Association for the Shared Integrated Management Information System, Springfield, IL	825,000
James S. Taylor Memorial Home, Louisville, KY	250,000
Jefferson Area Board for Aging, Charlottesville, VA for the Nursing Assistant Institute	100,000
Jersey Shore Hospital, Jersey Shore, PA for stabilizing the workforce for patient care	85,000
Marian Community Hospital, Carbondale, PA for stabilizing the workforce for patient care	179,000
Medical Care for Children Partnership, Fairfax, VA to provide outreach to increase access to medical and dental care for children	200,000

Mercy Health Partners, Scranton, PA for stabilizing the workforce for patient care	393,000
Mercy Hospital, Wilkes-Barre, PA for stabilizing the workforce for patient care	571,000
Mid-Valley Hospital, Peckville, PA for stabilizing the workforce for patient care	63,000
Moses Taylor Hospital, Scranton, PA for stabilizing the workforce for patient care	510,000
Muncy Valley Hospital, Muncy, PA for stabilizing the workforce for patient care	109,000
Muskegon Community Health Project, Muskegon, MI for the Access Health program	225,000
North Penn Visiting Nurse Association, Lansdale, PA to provide low-cost or free health care to children who do not have health insurance	75,000
Patient Advocate Foundation, Newport News, VA to provide direct intervention assistance to patients throughout U.S. who are experiencing difficulty in accessing quality health care services	122,000
Rhode Island Hospital—Medical Simulation Center of Providence, RI for the creation of a transportable simulation-based training curriculum and validated human performance measurement system	100,000
Saint Joseph Medical Center, Hazleton, PA for stabilizing the workforce for patient care	256,000
Santa Clara County, CA for its Children's Health Initiative program to provide outreach and enrollment assistance for families under 300% of federal poverty level	100,000
Sharon Regional Health System, Sharon, PA for stabilizing the workforce for patient care	664,000
Sickle Cell Medical Treatment & Education Center, St. Louis Children's Hospital, St. Louis, MO to improve the academic achievement of children with Sickle Cell Disease with specific cognitive rehabilitation	25,000
Tyler Memorial Hospital, Tunkhannock, PA for stabilizing the workforce for patient care	111,000
United Community Hospital, Grove City, PA for stabilizing the workforce for patient care	174,000
UPMC Horizon, Farrell, PA for stabilizing the workforce for patient care	503,000
Williamsport Hospital & Medical Center, Williamsport, PA for stabilizing the workforce for patient care	613,000
Wyoming Valley Health Care System, Wilkes-Barre, PA for stabilizing the workforce for patient care	965,000

The conference agreement includes bill language identifying $30,000,000 for the CMS revitalization plan as proposed by the Senate instead of $65,000,000 as proposed by the House.

The conference agreement does not include language that was in the House bill identifying $129,000,000 for processing Medicare appeals. Funding is included to support the Social Security Administration's costs of Medicare hearings workloads.

The conference agreement includes $1,722,889,000 for Medicare operations instead of $1,776,889,000 as proposed by both the House and the Senate. The conference agreement does not include the $98,000,000 reduction to Medicare operations included in general provision 217 of the House bill. The conference agreement includes bill language proposed by the Senate making up to an additional $18,000,000 available to CMS for Medicare claims processing if unit costs of claims exceed particular thresholds. The House bill did not contain similar language.

The conferees are concerned that the proposed Medicare "75% Rule" classifying inpatient rehabilitation facilities (IRFs) would have severe consequences for access to inpatient services. The con-

ferees concur with the Medicare Payment Advisory Commission (MedPAC) finding that further analysis should be conducted to identify which criteria are clinically appropriate for inclusion in the calculation of the rule used to determine eligibility for reimbursement under the IRF prospective payment system. The conferees direct CMS to contract with the Institute of Medicine to issue a report, in consultation with a panel of independent experts in the field of physical medicine and rehabilitation, to establish clinically appropriate standards for medical necessity and clinically appropriate qualification criteria for IRFs. During the study period, the conferees expect the Secretary to delay implementation of the 75% rule, delay implementation of local medical review policies concerning medical necessity, and not accept new IRF applications until the report is finished.

The conferees are concerned that CMS has not updated since 1992 the relative values code for the provision of portable services, such as X-rays, despite the statutory requirement to update these codes every five years. This failure may be contributing to the utilization of more costly care settings. The conferees urge the Secretary, within 90 days of enactment of this Act, to review the relative values code for portable X-ray providers and to update this code utilizing existing data.

The conferees are aware that a final rule to revise the 2004 Medicare Fee Schedule for payment to physicians was issued on November 7, 2003. The rule will change payment for physicians managing dialysis patients to reflect the varying number of visits performed each month to an end-stage renal disease (ESRD) patient. Yet, there appears to be no published evidence that visiting dialysis patients more frequently than once per month correlates with improved outcomes. Moreover, the conferees are concerned that this change in payment methodology may have serious implications for ESRD patients who reside in rural communities. The conferees understand that it is equally plausible that the quality of an individual visit is more critical to ensuring optimal outcomes than is the frequency of visits. Therefore, the conferees expect CMS to consult with the General Accounting Office, the Relative Value Update Committee, and clinical nephrology societies, as well as relevant provider and patient organizations, to evaluate and develop an alternative payment reform that facilitates enhanced physician/dialysis patient interaction and outcomes.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

The conference agreement provides $3,292,970,000 for payments to States for child support enforcement and family support programs. The House bill had proposed $3,292,970,000 and the Senate bill had proposed $3,292,270,000.

LOW-INCOME HOME ENERGY ASSISTANCE

The conference agreement provides $1,900,000,000 for low-income home energy assistance rather than $1,800,000,000 as pro-

posed by the House and $2,000,000,000 as proposed by the Senate. Of the amount provided $1,800,000,000 is provided for formula grants to States. The House bill had proposed $1,700,000,000 for State formula grants and the Senate bill proposed $2,000,000,000. Within the funds available, $27,500,000 is included for the leveraging incentive fund as proposed by the Senate.

The conference agreement includes $100,000,000 as proposed by the House for the contingency fund to meet the additional home energy assistance needs arising from a natural disaster or other emergency. The Senate bill did not include funds for the contingency fund. The conferees expect the Secretary to consider the factors identified in the statute when making decisions about the release of funds. The conferees are aware that the Secretary formally notifies the authorizing committees in advance of issuing grants from LIHEAP contingency funds, pursuant to Section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)). The conferees request that the House and Senate Committees on Appropriations receive copies of such notifications in advance of issuing grants. The conferees urge the Department to provide regular information on significant, unanticipated changes in home heating and cooling costs and to receive quarterly reports on significant variances in regional weather data and fuel prices to the Committees on Appropriations and the appropriate authorizing committees. Such reports should be provided within 30 days of the end of any fiscal quarter in which LIHEAP contingency funds remain available for obligation. In addition, the conferees request for any quarter in which there is a release of funds to receive a detailed explanation of the factors used to determine the distribution of funds among States.

The conferees are aware that one of the criteria for release of emergency funds is a significant increase in disconnections. The precursor to disconnection is a household in arrearage. The conferees believe that helping families prior to disconnection would prevent safety and health concerns surrounding a household without energy services. For that reason, the conferees urge the Secretary to monitor arrearage trends nationwide and consider a significant increase in arrearage rates as part of the disconnection criteria.

REFUGEE AND ENTRANT ASSISTANCE

The conference agreement includes $450,276,000 for the refugee and entrant assistance programs rather than $461,853,000 as proposed by the House and $428,056,000 as proposed by the Senate.

The conference agreement includes $170,000,000 for the transitional and medical services programs rather than $200,193,000 as proposed by the House and $180,000,000 as proposed by the Senate.

The conferees recognize the positive outcomes achieved for individuals served through the matching grant fund program. Therefore, the conferees encourage the Office of Refugee Resettlement (ORR) to ensure that the matching grant program is not disproportionately affected by the funding reductions proposed due to lower admissions to the United States. The conferees request, as part of

the fiscal year 2005 Congressional budget justification, that the ORR provide a detailed breakdown on the plan for allocating funding under the transitional and medical services program.

The conference agreement provides $9,968,000 for both the victims of trafficking program and the victims of torture program. The House bill had included $10,000,000 for each program and the Senate bill had proposed $9,935,000 for each program.

The conference agreement provides $153,121,000 for social services, the same level as proposed in the House bill. The Senate had proposed $140,000,000 for this program. Within funds provided, the conference agreement includes $19,000,000 for increased support to communities with large concentrations of Cuban and Haitian refugees of varying ages whose cultural differences make assimilation especially difficult justifying a more intense level and longer duration of Federal assistance for healthcare and education.

The conference agreement includes $4,820,000 for preventive health rather than $4,835,000 as proposed by the House and $4,804,000 as proposed by the Senate.

The conference agreement includes $49,316,000 for targeted assistance. The House bill had proposed $49,477,000 and the Senate had proposed $49,155,000 for this program.

The conference agreement provides $53,083,000 for the unaccompanied alien children program rather than $34,227,000 as proposed by both the House and Senate. These additional funds will enable the Office of Refugee Resettlement to meet its obligations under the Homeland Security Act, which transferred the administration of this program from the former Immigration and Naturalization Service. The conferees intend that funding provided above the budget request be used to continue making progress toward providing appropriate facilities for the care of children; improving medical services that address the needs of such children; and enhancing the legal representation for those involved in this program.

The conferees recognize the importance of continued educational support to schools with a significant proportion of refugee children, consistent with previous support to schools heavily impacted by large concentrations of refugees, and urge the Office of Refugee Resettlement to support these efforts should funding become available in the social services or other programs.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

The conference agreement includes $2,099,729,000 for the child care and development block grant, the same level as both the House and Senate bills. Included in the bill is $9,864,000 within the total funds provided, for child care research, demonstration, and evaluation activities as proposed by the House. The Senate bill had included $10,000,000 for these activities.

SOCIAL SERVICES BLOCK GRANT

The conference agreement provides $1,700,000,000 for the social services block grant, the same level as proposed in both the House and Senate bills. The conference agreement provides 10 per-

cent transfer authority between the social services block grant and the temporary assistance for needy families program (TANF). The House bill had proposed 5.5 percent transferability. The Senate did not include a similar provision.

CHILDREN AND FAMILIES SERVICES PROGRAMS

The conference agreement includes $8,822,097,000 for children and families services programs, of which $6,000,000 is provided through the evaluation set-aside. The House proposed $8,614,670,000 for these programs and the Senate proposed $8,788,457,000, of which $6,000,000 was from the evaluation set-aside.

Head Start

The conference agreement includes $6,815,570,000 for Head Start, the same as both the House and Senate bills. The agreement includes $1,400,000,000 in advance funding, the same level as proposed by both the House and Senate.

The conferees are aware that approximately one-third of Head Start programs are affiliated with public school systems and often combine or coordinate the transportation of Head Start, preschool, and K–12 students. In addition, many center-based Head Start programs coordinate with local transit authorities to provide supervised transportation to Head Start children whose parents work non-traditional hours or whose geographical distance from the parent's place of employment creates a barrier to Head Start participation. Differences between Head Start transportation regulations, promulgated by the U.S. Department of Health and Human Services, and those promulgated by State and local authorities, may have the unintended consequence of reducing transportation services for Head Start students, and in turn, decrease transportation options for children. These differences may leave Head Start children without transportation or relying on parents to provide transportation in their vehicles.

The conferees recognize that children's safety is the most important consideration and that many students participating in Head Start programs need access to safe and reliable transportation provided by public schools or local transit systems. For this reason, the conferees direct the U.S. Department of Health and Human Services to offer a waiver option to local educational agency-contracted Head Start programs that provide integrated transportation to Head Start students. In cases where public schools or local transit authorities provide Head Start services, local educational agencies should have the option to comply with transportation standards for preschool students mandated by the State or local educational agencies, transit agencies, State Departments of Transportation or the U.S. Department of Health and Human Services.

Consolidated Runaway and Homeless Youth Program

The conference agreement includes $89,978,000 for the consolidated runaway and homeless youth program, the same level as proposed by the Senate, rather than $88,043,000 as proposed by the House. Within the funds provided, $40,505,000 is available for the

transitional living program (TLP) and $49,473,000 is for basic centers as proposed by the Senate.

Prevention Grants To Reduce Abuse of Runaway Youth

The conference agreement includes $15,399,000 for prevention grants to reduce abuse of runaway youth as proposed by the Senate. The House bill had proposed $14,999,000 for these grants.

Child abuse

The conference agreement includes $34,623,000 for child abuse discretionary programs instead of $26,301,000 as proposed by the House and $28,401,000 as proposed by the Senate. Within the funds provided for child abuse prevention programs, the agreement includes the following items:

AGAPE of Central Alabama, Inc., Montgomery, Alabama, for their work with children in need	$70,000
Alaska Native Health Board and the State of Alaska to develop and implement statewide child abuse prevention and treatment plan for Alaska children and parents	500,000
Blair County Children and Youth Services, Blair County, Pennsylvania, to develop a Family Intervention Program to keep families together	150,000
Blount County Health Care Authority, Oneonta, AL, for services through a service mall	250,000
Boys and Girls Home of Nebraska, Inc., Lincoln, NE for child abuse prevention services and counseling services	250,000
Catholic Community Services, Juneau, AK to operate Family Resource Center for child abuse prevention and treatment	400,000
Child Advocacy Center, Inc., Springfield, Missouri, for equipment upgrades and other operational expenses	100,000
Childhelp USA, Fairfax, Virginia, to reduce the incidence and severity of child abuse and enhance the ability to investigate reports and meet the needs of victims of child abuse	250,000
Children's Center of Southwest Missouri, Inc., Joplin, Missouri, for equipment upgrades and other operational expenses	100,000
Children's Center of the Ozarks, Inc., Monett, Missouri, for equipment upgrades and other operational expenses	50,000
Children's Home and Aid Society of Illinois, Chicago, IL for the Child Abuse Prevention Project in Carpentersville, IL	163,000
Children's Rights Council, Hyattsville, MD for Safe Haven programs in Stark County, Ohio	64,000
Cook Inlet Tribal Council to provide child welfare services for Alaska Native Children who are abused or neglected and their parents in the Anchorage area, including supervised visitation center and a father involvement program	900,000
Cornerstones for Care, Kansas City, MO to expand services and programming that benefit victims of child abuse	500,000
Geauga Family First Council, Chardon, OH for the Family Stability Program	145,000
Healthy Families/Better Beginnings for a home visitation program for State of Alaska and regional Native non-profit organizations	2,000,000
Jackson County Children's Services Coalition, Gautier, MS, to prevent child abuse and neglect in at-risk homes	25,000
Lutheran Settlement House, Philadelphia, PA for the expansion of LSH's Bilingual Domestic Violence Project (BDVP) expansion to include children who have witnessed or have been victims of abuse	75,000
Municipality of Anchorage, in consultation with Cook Inlet Tribal Council and Anchorage Women's Commission, to develop comprehensive domestic violence initiative for Municipality of Anchorage	1,000,000
Northern Virginia Family Service, Oakton, VA, for the Healthy Families Fairfax Program	200,000

Oregon Association of Relief Nurseries, Eugene, OR, to expand services to children who are at risk for child abuse or neglect	80,000
Stop It Now, Philadelphia, PA for outreach to the community to prevent child abuse	100,000
Synergy Services, Inc., Parksville, Missouri, Children's Therapeutic Center and Domestic Violence Services	150,000
The Futures Institute for Sustainable Development for a child abuse prevention and treatment program	300,000
West River Foundation, Sturgis, SD, to establish early childhood development programs in small communities	500,000

Abandoned Infants Assistance

The conference agreement provides $12,126,000 for the abandoned infants assistance program, the same level as proposed by the Senate. The House bill had proposed $12,086,000 for this program.

Child Welfare Services

The conference agreement provides $291,037,000 for child welfare services rather than $291,986,000 as proposed by the House and $290,088,000 as proposed by the Senate.

Child Welfare Training

The conference agreement includes $7,460,000 for child welfare training rather than $7,470,000 as proposed by the House and $7,449,000 as proposed by the Senate.

Adoption Opportunities

The conference agreement includes $27,285,000 for the adoption opportunities program rather than $27,343,000 as proposed by the House and $27,227,000 as proposed by the Senate.

Adoption Incentives

The conference agreement provides $35,000,000 for the adoption incentive program for bonuses for adoptions completed prior to the end of fiscal year 2004, $27,500,000 of which is unused fiscal year 2003 funds, instead of $43,000,000 as proposed by the House and $42,720,000 as proposed by the Senate. The conference agreement includes bill language, which allows funds appropriated for bonus payments in Public Law 108–7 and available for obligation through September 30, 2004 to be used to make bonus payments for adoptions completed before September 30, 2004. The conferees note that the number of adoptions from the public foster care system has increased significantly over the past several years, rising from 27,761 in fiscal year 1997 to 50,179 in fiscal year 2002. As a result of this increase and based on the most recent estimates, fewer resources will be needed in fiscal year 2004 to make bonus payments to States for the full amount for which they are eligible under this program.

Adoption Awareness

The conference agreement includes $12,864,000 for the adoption awareness program rather than $12,906,000 as proposed by the House and $12,822,000 as proposed by the Senate.

Compassion Capital Fund

The conference agreement includes $48,000,000 for the compassion capital fund, instead of $50,000,000 as proposed by the House and $34,772,000 as proposed by the Senate.

Social Services and Income Maintenance Research

The conference agreement includes $18,767,000 for social services and income maintenance research, of which $6,000,000 is provided through the evaluation set-aside. The House had proposed $5,982,000 for this program and the Senate proposed $31,812,000, of which $6,000,000 was from the evaluation set-aside.

The conferees note that efforts undertaken through the State information technology consortium have led to greatly improved systems communications and compliance in both the TANF and child support enforcement (CSE) programs. For TANF, the conferees have provided $2,000,000 to permit States to utilize uniquely designed web-based technology to improve benefit delivery and fulfill new Federal reporting requirements. For CSE, the conferees have provided $3,000,000 to continue the consortium's efforts to improve data exchange between CSE and the courts in ways that will significantly reduce the time lag between court orders and enforcement/collections activities.

The conferees are concerned that children continue to be left unaccounted for and underserved within State child welfare systems. Protecting the Nation's most vulnerable populations, especially youth in State protective care, should receive significant attention. The conferees are aware of a project being developed by Rx for Reading that would provide a model for a case management tool housing all of the health and education records of children in the care of the counties of the State of California, including those in foster care and residential facilities, in a web browser-based database. The conferees understand that this database could replace a number of stand alone, antiquated databases and automate manual record keeping, which would enable caregivers, foster families, educators, doctors and case workers to easily access and update information relating to their services and functions through secure portals.

The conferees also provide sufficient funding for the following:

Alaska Children's Services of Anchorage for operations of programs to serve needs of at risk, low income youth in Anchorage	$300,000
Buckeye Ranch, Grove City, OH, for the Applied Violence and Prevention Research program	350,000
Children's Village in Pine Ridge, South Dakota for foster care services	200,000
ChildServ, Chicago, IL for family services at the Lake County Family Service Center	200,000
City of Gadsden, Family Success Center, AL, to provide equipment for the development of a one-stop area for social services with the focus on helping families help themselves	100,000
Corporate Foundation for Children, Montgomery, AL to assist historically underserved organizations to increase the number and capacity of community-based organizations across the state to serve needy families and individuals in their own communities	350,000
Eckerd Youth Alternatives, Clearwater, Florida, for the Road to Independence—A Continuum of Foster Care Pilot Demonstration	1,500,000
Family and Youth Development Foundation Inc., Louisville, KY	20,000

Fathers' Support Center, St. Louis, MO, to provide non-custodial fathers with personal development, communication and relationship building skills	100,000
First Gethsemane Center for Family Development, Louisville, KY	50,000
Freedom House Inc., Princeton, IL, for technology to create an Adult and a Children's Learning Center	50,000
Gomlei Chasodim Inc., Lakewood, NJ	75,000
Hope Home in Kennewick, WA, to develop a curriculum and train foster parents of teen parents and their children	50,000
Horizons Initiative, Boston, MA, for mentoring, educational, and social development programs for homeless youth	150,000
Jewish Community Centers of Northeastern Ohio, Canton, OH for human services programs for children and families	250,000
Kentucky Sheriffs' Boys Ranch Trust, Gilbertsville, KY	75,000
LINK, Sterling, VA, to help meet the growing demands for service	100,000
Lutheran Community Services in Burien, WA, to equip a child care center for families in need	200,000
Middlecreek Area Community Center, Beaver Springs, PA, for technology equipment and upgrades for community-based programs and implementation of Youth-at-Risk initiatives	300,000
Network for Child Safety, Columbus, OH, to provide leadership training for professionals to improve the child welfare system	200,000
New Alternatives for Children Inc, New York, NY for support of programs serving children and their families focusing on health and social services	350,000
ProJeCt of Easton, Inc., Easton, PA to assist with local food pantry; and to provide intensive case management to individuals and families experiencing emergency situations	50,000
United Way of Anchorage, AK to support shelters for victims of domestic violence	250,000
University of Notre Dame, Notre Dame, Indiana, Center for Children and Families for Parent Education about Marital Conflict and "Adventures in Parenting" projects	700,000
Washington State Department of Health to implement the Bright Futures program to promote early childhood education and good health	500,000
WeatherWise USA, Pittsburgh, PA, for a demonstration program designed to improve the financial security of low income households	200,000
YouthCare's Orion Center in Seattle, WA, to equip a center providing many services at one site to homeless and high-risk youth	200,000

Community-Based Resource Centers

The conference agreement includes $33,403,000 for the community-based resource centers as proposed by the House rather than $33,412,000 as proposed by the Senate.

Developmental Disabilities

For developmental disabilities programs, the conference agreement includes $73,515,000 for State Councils as proposed by the Senate instead of $71,500,000 as proposed by the House. The conference agreement includes $38,644,000 for protection and advocacy services as proposed by the Senate instead of $36,500,000 as proposed by the House. The agreement also includes $11,642,000 for special projects as proposed by the Senate instead of $12,500,000 as proposed by the House. Within the funds for special projects, $4,000,000 is available to expand activities for the Family Support Program. For university-affiliated programs, the agreement includes $26,962,000 as proposed by the Senate instead of $25,000,000 as proposed by the House.

The conference agreement includes $15,000,000 for the disabled voter services programs. Within the funds provided,

$10,000,000 shall be for payments to States to promote disabled voter access as proposed by the Senate rather than $13,000,000 as proposed by the House and $5,000,000 shall be for payments to States for disabled voter protection and advocacy, the same level as proposed by the Senate. The House had proposed $2,000,000 for protection and advocacy.

The conferees are aware that funding for protection and advocacy services under section 291 of the Help America Vote Act currently is not being made available to protection and advocacy services that specifically address the Native American community. Native Americans with disabilities experience unique challenges in exercising the right to vote. For that reason, the conferees intend that organizations providing protection and advocacy services to Native Americans as defined in the Developmental Disabilities Assistance and Bill of Rights Act should also be deemed an eligible entity under the Help America Vote Act.

Native American Programs

The conference agreement includes $45,457,000 for Native American programs as proposed by the Senate, instead of $45,119,000 as proposed by the House.

Community Services

The conference agreement includes $645,762,000 for the community services block grant as proposed by the Senate instead of $494,964,000 as proposed by the House.

The conference agreement also includes $32,546,000 for economic development as proposed by the Senate, instead of $32,436,000 as proposed by the House. Within the total, $5,464,000 is provided for the job creation demonstration authorized by the Family Support Act.

The conference agreement provides $24,870,000 for the individual development account initiative rather than $24,912,000 as proposed by the House and $24,828,000 as proposed by the Senate.

The conference agreement includes $7,227,000 for rural community facilities instead of $7,250,000 as proposed by the House and $7,203,000 as proposed by the Senate.

The conference agreement provides $18,000,000 for the National youth sports program as proposed by the House. The Senate did not propose funding for this program.

The conference agreement includes $7,281,000 for community food and nutrition as proposed by the Senate. The House did not propose funding for this program.

Early Learning Fund

For the early learning fund, the conference agreement includes $33,779,000 as proposed by the Senate. The House did not include funding for this program.

Mentoring Children of Prisoners

The conference agreement includes $50,000,000 for Mentoring Children of Prisoners instead of $25,000,000 as proposed by the House and $9,935,000 as proposed by the Senate.

Independent Living Training Vouchers

The conference agreement includes $45,000,000 for Independent Living Training Vouchers as proposed by the House instead of $41,727,000 as proposed by the Senate.

PROMOTING SAFE AND STABLE FAMILIES

The conference agreement includes $100,000,000 for the discretionary grant program of promoting safe and stable families as proposed by the House rather than $99,350,000 as proposed by the Senate.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The conference agreement includes $1,381,689,000 for aging services programs instead of $1,377,421,000 as proposed by the House and $1,361,193,000 as proposed by the Senate. Within the total, $5,500,000 is available for medication management, screening, and education activities as proposed by the Senate. The House had proposed $5,000,000 for these activities.

The conference agreement includes $356,000,000 for supportive centers, instead of $357,000,000 as proposed by the House and $355,673,000 as proposed by the Senate.

The conference agreement includes $19,559,000 for protection of vulnerable Americans activities, as proposed by the Senate, instead of $18,559,000 as proposed by the House. Within the funds provided $14,361,000 is provided for ombudsman services and $5,198,000 is for the prevention of elder abuse program.

The conference agreement provides $160,000,000 for the caregivers programs. Of the total provided, $153,645,000 is for family caregivers rather than $162,000,000 as proposed by the House and $149,025,000 as proposed by the Senate and $6,355,000 is provided for Native American caregivers support rather than $6,500,000 as proposed by the House and $6,209,000 as proposed by the Senate.

The conference agreement includes $718,704,000 for nutrition programs rather than $720,655,000 as proposed by the House and $716,964,000 as proposed by the Senate. Within the total, $388,646,000 is provided for congregate meals rather than $390,000,000 as proposed by the House and $387,292,000 as proposed by the Senate and $149,073,000 is provided for the nutrition services incentives program rather than $149,670,000 as proposed by the House and $148,697,000 as proposed by the Senate.

The conference agreement provides $26,612,000 for grants for Native Americans rather than $25,729,000 as proposed by the House and $27,495,000 as proposed by the Senate.

The conference agreement includes $33,223,000 for aging research, training and demonstrations instead of $30,837,000 as proposed by the House and $17,843,000 as proposed by the Senate. The conferees continue to support funding at no less than last year's level for national programs scheduled to be refunded in fiscal year 2004 that address a variety of issues, including elder abuse, native American issues and legal services.

Within the funding provided, the conference agreement includes $3,000,000 for social research into Alzheimer's disease care options, best practices and other Alzheimer's research priorities that include research into cause, cure and care, as well as respite care, assisted living, the impact of intervention by social service agencies on victims, and related needs. The agreement provides that this research utilize and give discretion to Area Agencies on Aging and their non-profit divisions in municipalities with aged populations (over the age of 60) of over 1,000,000, with preference given to the largest population. The conferees recommend that unique partnerships to affect this research be considered for the selected Area Agency on Aging.

Given the enormous demands on Alzheimer's family caregivers, the conferees have included $1,000,000 to support the continuation of an Alzheimer's family contact center for round-the-clock help to Alzheimer's families in crisis.

The conferees expect the Administration on Aging to continue to fund the National program of statewide senior legal services hotlines (also called legal help lines) at their current levels and ideally to provide an increase in the number of States served by these legal hotlines.

The conferees also include the following amounts under aging research, training, and demonstrations:

Adult Care Center of the Northern Shenandoah Valley, Inc., Winchester, VA, to study the use of complementary and alternative medicine for persons with Alzheimer's disease and related disorders	100,000
Aging In Place Initiative, Denver, CO, for the development of a program to address an increasing number of senior citizens living independently and to provide for a collaborative community effort for community-based providers	200,000
College Misericordia, Dallas, PA	200,000
College of Science and Public Policy at Boise State University, ID, for a Center for the Study of Aging project	250,000
College of William & Mary, Williamsburg, VA, Center for Excellence in Aging and Geriatric Health to implement a pilot program to help promote the health and independence of older adults	400,000
Copper Ridge Institute, Sykesville, MD	100,000
Day Kimball Hospital, Putnam, CT, for the Center for Excellence in Rural Geriatric Services	600,000
Florida Atlantic University, Boca Raton, FL, for the Clinical Intervention Day Center	125,000
Greater Miami Jewish Federation, Inc., Miami, FL, for services to seniors living independently in Naturally Occurring Retirement Communities	250,000
Hardy County Committee on Aging, Moorefield, WV, for wellness programs	75,000
Hearth and Home Senior Adult Day Care Center, Manassas, VA, for program support for an innovative approach to full and part-time senior adult care	245,000
Iowa Department of Elder Affairs Seamless System to continue the integration of senior programs. In administering this award, the AoA and CMS should continue to provide the technical assistance and related support necessary to develop and implement programs	1,000,000
Jewish Community Centers of Northeastern Ohio, Canton, OH, for human services programs for seniors	250,000

Jewish Family and Children's Service of Greater Philadelphia, Philadelphia, PA, to develop and test models of coordinated social services delivery to persons living in Naturally Occurring Retirement Communities (NORC) in the Philadelphia area	200,000
Jewish Family and Children's Service of Southern Arizona, Inc., Tucson, AZ, for services to Naturally Occurring Retirement Community seniors	200,000
Jewish Family and Children's Service, Sarasota, FL, for supportive services to Naturally Occurring Retirement Communities' residents	225,000
Jewish Family and Children's Services of Greater Boston, Boston, MA, for a naturally occurring retirement community program designed to serve the health needs of the elderly	200,000
Jewish Family Service of Buffalo and Erie County New York, Buffalo, NY, for programs for seniors in Naturally Occurring Retirement Communities	100,000
Jewish Family Service of Richmond, Richmond, VA, for a demonstration project to expand their services into Naturally Occurring Retirement Communities	200,000
Jewish Family Service of Rochester, Inc., Rochester, NY, for service delivery to seniors living in Naturally Occurring Retirement Communities	100,000
Jewish Family Service of Tidewater, Norfolk, VA, for a demonstration project to expand their services into Naturally Occurring Retirement Communities	175,000
Jewish Family Service, Seattle, WA, for programs for seniors in Naturally Occurring Retirement Communities	150,000
Jewish Federation of Atlantic and Cape May Counties, Northfield, NJ	125,000
Jewish Federation of Greater Albuquerque, NM, for a Naturally Occurring Retirement Communities demonstration project	300,000
Jewish Federation of Greater Atlanta for a Naturally Occurring Retirement Communities (NORC) demonstration	75,000
Jewish Federation of Greater Indianapolis, for a Naturally Occurring Retirement Communities (NORC) demonstration	845,000
Jewish Federation of Metropolitan Chicago, IL, for services to seniors who live in Naturally Occurring Retirement Community housing	100,000
Jewish Federation of Ocean County, Lakewood, NJ	250,000
Jewish Seniors Agency of Providence, RI, for a Naturally Occurring Retirement Communities (NORC) demonstration	50,000
La Pine Senior Center Project, Bend, OR, for services to seniors in Deschutes County	100,000
Lapeer Regional Hospital, Lapeer, MI, for the Geriatric Assessment program	60,000
LIFESPAN of Greater Rochester for a Coordinated Response to Elder Abuse	100,000
Madison Area Continuing Care Consortium, LLC in Madison, WI, for a Naturally Occurring Retirement Community demonstration project	350,000
Maine Hospice Council, Augusta, ME, to organize alternative delivery systems for palliative and end-of-life care	250,000
Meals on Wheels Association of America, Alexandria, VA, for Bridging the Gap in Senior Meals Services demonstration project	1,600,000
National Indian Council on Aging to increase training to improve elder access to social services in Washington State	750,000
New Courtland Elder Services, Philadelphia, PA, to demonstrate whether the presence of advanced practice nurses can improve the quality of care received by nursing home residents	100,000
Olde Kensington Redevelopment Inc., North Philadelphia Senior Development Project, Philadelphia, PA, to maximize senior capacity for self-sufficiency and independent community residency by developing a technology based program that will foster the volunteer spirit	100,000
Pennsylvania Occupational Therapy Association Inc., Philadelphia, PA, for developing a national model for supporting Alzheimer's patients and their caregivers	75,000

Stetson University College of Law, Gulfport, FL, for Combating Health Care and Consumer Fraud Through Elder Education	1,000,000
UJA Federation of Bergen County and North Hudson, River Edge, NJ, for service delivery to seniors living in Naturally Occurring Retirement Communities	200,000
United Jewish Communities of Metro West, NJ, for Naturally Occurring Retirement Communities (NORCs)	200,000
United Jewish Federation, Pittsburgh, PA, to launch a program to assist the elderly in Naturally Occurring Retirement Communities (NORC)	250,000
University of Indianapolis, Indianapolis, IN, to expand the Center for Aging and Community which helps seniors cope with chronic conditions of aging	155,000

The conference agreement includes $13,373,000 for aging network support activities as proposed by the Senate rather than $2,379,000 as proposed in the House bill. The conferees have funded programs in this activity that were previously funded in the aging, research and training account as proposed by the Senate. The House bill had retained the traditional program distribution.

The conference agreement includes $11,956,000 for the Alzheimer's disease demonstrations instead of $11,500,000 as proposed by the House and $12,412,000 as proposed by the Senate.

For program administration, the conference agreement includes $17,501,000 as proposed by the House rather than $17,869,000 as proposed by the Senate.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

The conference agreement includes $357,358,000 for general departmental management instead of $343,284,000 as proposed by the House and $344,808,000 as proposed by the Senate, along with $5,851,000 from Medicare trust funds. In addition, $21,552,000 in program evaluation funding is provided. Funds provided include $7,301,000 for the National Vaccine Program Office to comport with the Department's recent move of this office to the Office of the Secretary from the Centers for Disease Control and Prevention.

The conferees include the amounts within the Office of the Secretary for the following projects and activities in fiscal year 2004 listed below:

Ad Council of New York, NY, in consultation with the industry, advocates and other interested parties, for an underage drinking public service campaign directed at parents	$800,000
Community Transportation Association of America for TA to human services transportation providers on ADA requirements	1,000,000
Palmer College on Chiropractice, Consortial Center for Chiropractic Research in Davenport, Iowa, and the Policy Institute for Integrative Medicine in Philadelphia, PA for a best practices initiative on lower back pain	100,000

The conference agreement includes bill language earmarking $11,885,000 under the adolescent family life program for activities specified under section 2003(b)(2) of the Public Health Service Act as proposed by the Senate instead of $11,185,000 as proposed by the House.

The conference agreement includes bill language identifying $49,838,000 for minority AIDS prevention and treatment activities

instead of $49,675,000 as proposed by the House and $50,000,000 as proposed by the Senate.

The conference agreement includes bill language identifying $15,000,000 for the information technology security and innovation fund as proposed by the Senate instead of $18,400,000 as proposed by the House.

The conference agreement does not include bill language proposed by the Senate that would earmark $3,000,000 within the General Departmental Management account to carry out programs to address dental workforce needs of designated health professional shortage areas.

The conferees strongly support the Buy American Act, which was enacted in 1933 to ensure that the Federal government supports domestic companies and domestic workers by buying American-made goods. The Act includes a number of waiver provisions that allow Federal agencies to buy foreign goods in some circumstances, but there is little disclosure or accountability in the waiver process. The conferees direct the Secretary to issue a report not later than 60 days after the end of fiscal year 2004 on the amount of acquisitions made by the Department during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The conference agreement does not include the bill language related to this report that was proposed by the Senate.

The conference agreement provides $1,000,000 to reduce SIDS disparity rates and provide risk reduction education to African American and American Indian populations in the United States. The Senate bill included language making up to $2,000,000 available for this purpose. The House bill did not include a similar provision.

The conferees intend that, of the funding provided to the Office of Minority Health, no less than the fiscal year 2003 funding level be allocated to a culturally competent and linguistically appropriate public health response to the HIV/AIDS epidemic.

The conferees include the amounts for the following Office of Minority Health projects and activities in fiscal year 2004 listed below:

AIDS Foundation of Chicago to expand prevention programs	$125,000
Blue Ridge Hospice, Winchester, VA, for grief and loss outreach efforts	350,000
Comprehensive Cancer Center of the Ohio State University, Columbus, OH, for the Center for Health Disparities	250,000
Esther's Pantry of Metropolitan Community Church of Portland to provide food and supplies for people living with AIDS	25,000
Jaisohn Center, Philadelphia, PA, to provide comprehensive health promotion and prevention programs to the Korean-American older adult community	100,000
Maryland Center at Bowie State University, to develop and disseminate HIV and diabetes prevention to minority seniors	150,000

National Donor Awareness Foundation, New Orleans, LA, for Minority Organ Donation Initiative	100,000
St. Francis Medical Center, Trenton, NJ	250,000
University Medical Center of Southern Nevada (UMC) & Clark County Health District (CCHD) Multi-Cultural Services Program	450,000
University of Pittsburgh Medical Center, Pittsburgh, PA, for their Minority Women's Health Initiative to provide health services, including diagnosis, treatment, and maintenance to African American women with chronic heart disease	850,000
University of Texas Health Science Center at San Antonio, TX, to evaluate system of disease management within a diverse population of asthma patients	2,500,000
University of Texas San Antonio Health Science Center, San Antonio, TX, to address how diet and nutrition, in combination with genetic, social and other factors, affect the health of Hispanic Americans	$1,000,000

The conferees concur in the requirement in the Senate bill for an Institute of Medicine (IoM) study on mammography standards. The conferees have provided $500,000 to carry out the IoM study as described in the Senate bill. The IoM study should include an evaluation of interpretive skills assessments as a possible tool to improve physician interpretation of mammograms (after consultation with those who have expertise in interactive skills assessments) and how the annual medical outcomes audit required under Mammography Quality Standards Act regulations could be used to improve mammography quality and interpretation.

The conference report does not include within the General Departmental Management account $3,000,000 for the Public Health Service Commissioned Corps transformation and modernization effort as proposed by the Senate. Instead, these funds are provided in the Public Health and Social Services Emergency Fund.

The conferees have included $500,000 for a study by the Institute of Medicine focusing on the state of emergency care in the United States. The study should examine the different roles of emergency departments as emergency care provider, safety net provider, portal of entry provider and disaster response provider, along with an identification of the impediments to successfully performing those roles. The study should also examine workforce issues, including residency training and problems in obtaining emergency physicians in rural areas, information technology and systems issues that relate to speeding access and treatment to emergency patients while improving patient safety, and the development of a research agenda needed to provide the information necessary to ensure that the American people have access to the emergency medical services they require in the future.

The conferees direct that the effects statements required for the General Departmental Management account include a level of detail that identifies the funding for each Office in the Office of the Secretary, such as the Office of the Assistant Secretary for Administration and Management.

The conferees concur in the Senate report language regarding the collection of racial, ethnic and primary health-related data; the embryo adoption awareness campaign; and new and continuing projects in the adolescent family life program.

The conference agreement modifies House report language to direct the Secretary to request that Title X grantees voluntarily provide the following information regarding abortions: the number

of Title X-funded sites that also provide abortions with non-Federal funds. The Secretary's request shall be limited to the above question with no additional information regarding the identity of the clinics or the patients receiving abortions. The conferees direct that when the Secretary requests the information, the letter of request should contain a statement making it clear that the grantees' responses shall be voluntary and without consequence, or threat of consequence, to non-responsiveness. The conferees further direct that the records documenting this information shall be retained by the grantee, and shall not be provided to the Secretary nor any other Federal, State, or local official or entity. The conferees expect the Secretary to provide a report to the House and Senate appropriations committees four months after enactment of this Act summarizing the volunteered information.

The conferees are concerned about underage drinking and the need to take immediate steps to better coordinate Federal efforts combating this problem facing our Nation. The conferees are aware of recommendations that the Secretary of Health and Human Services (HHS) establish an interagency committee on the prevention of underage drinking and issue an annual report summarizing all Federal agency activities concerning this issue, including key surveillance data and progress being made in reducing underage drinking. The conferees direct the Secretary to take immediate steps to implement these recommendations. In addition, the conferees direct the Secretary, in coordination with agencies such as SAMHSA and NIAAA, to prepare a plan for combating underage drinking, including the projected costs and next steps to be taken, and report progress on such a plan 90 days after enactment of this Act.

The conferees support the Administration's goals of ending chronic homelessness and creating 150,000 units of permanent supportive housing. However, the conferees believe these goals were not properly reflected in the Department's budget request. The Administration is instructed to include as part of its fiscal year 2005 budget request a description of new and continuing resources that are being applied to create and sustain permanent supportive housing for people experiencing chronic homelessness and a description of the resources necessary to achieve the goal of ending chronic homelessness.

Within the amount provided, sufficient funds are included to publish and widely disseminate the U.S. Surgeon General's report on osteoporosis and related bone diseases. In an effort to heighten public awareness of this report, the Surgeon General is encouraged to work with voluntary health organizations dedicated to promoting lifelong bone health.

The conferees urge the Department to begin a study on comprehensive pharmacy services in light of changes in technology, distance and distributive learning models, the aging of the populations and the Department's study on the severe pharmacist shortage, to analyze how these factors may influence the nature of pharmaceutical education and interventions in healthcare.

The conferees direct that specific information requests from the chairmen and ranking members of the Subcommittees on Labor, Health and Human Services, and Education, and Related Agencies,

on scientific research or any other matter, shall be transmitted to the Committees on Appropriations in a prompt professional manner and within the time frame specified in the request. The conferees further direct that scientific information requested by the Committees on Appropriations and prepared by government researchers and scientists be transmitted to the Committees on Appropriations, uncensored and without delay.

By January 1, 2005, the Secretary shall develop policy recommendations and issue a report to Congress by which vision rehabilitation services would be provided by vision rehabilitation professionals in an appropriate setting, including the patient's home environs, acting under a qualified physician's general supervision. The report may include adopting a national credentialing measure, or other steps deemed necessary by the Secretary, that would ensure patient quality of care. In developing the recommendations, the Secretary should consult with the National Vision Rehabilitation Cooperative, the Association for Education and Rehabilitation of the Blind, the Academy for Certification of Vision Rehabilitation and Education Professionals, the American Academy of Ophthalmology, and the American Optometric Association and other interested organizations.

POLICY RESEARCH

The conference agreement provides $20,750,000 for policy research from program evaluation funding. The House bill provided $20,483,000, of which $2,483,000 was Federal funds and $18,000,000 was program evaluation funding. The Senate bill provided $23,499,000, entirely from program evaluation funding.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The conference agreement includes $1,776,846,000 for the Public Health and Social Services Emergency Fund (PHSSEF) to enhance Federal, State, and local preparedness to counter potential biological, disease, chemical, and radiological threats to civilian populations, the same as proposed by the House. The Senate proposed $1,856,040,000 for the Fund.

The agreement continues bill language applicable in prior fiscal years to allow the Secretary to transfer amounts specified in the account between categories subject to normal reprogramming procedures.

The conference agreement continues language, applicable during fiscal year 2003, exempting from any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services both civilian and Commissioned Officers detailed to States, municipalities or other organizations under authority of Section 214 of the Public Health Service Act for purposes related to homeland security during their period of detail or assignment.

Within the amount provided: $1,116,156,000 is for the Centers for Disease Control and Prevention; $545,870,000 is for the Health Resources and Services Administration; and $64,820,000 is for the Office of the Secretary.

The conferees note that funds requested within this account for Poison Control, and Emergency Medical Services for Children are

provided within the Health Resources and Services Administration. This brings the comparable total for the Public Health and Social Services Emergency Fund to $1,820,700,000.

Within the amounts available to the Centers for Disease Control and Prevention (CDC): $940,000,000 is for State and Local Preparedness, $158,116,000 is for Upgrading CDC Capacity; and $18,040,000 is for the fourth year of a collaborative research program on anthrax vaccine.

Within the amounts available for State and Local Preparedness, the conference agreement includes $847,456,000 for State Cooperative Agreements, $29,838,000 for Public Health Preparedness Centers and $5,500,000 for Centers for Advanced Local Public Health Practice.

Funds available for Public Health Preparedness Centers shall be used to establish collaborative programs with State and local public health agencies, enhance practice-based training of students, and to increase participation of public health practitioners in the Centers education and training activities.

The conferees concur with language in the Senate report concerning the needs of local health departments and encourage both the Director and the Secretary to ensure that funds appropriated for State and local public health preparedness are spent in a manner with which local public health officials concur. Furthermore, it is expected that local public health agencies will continue to be full partners in developing State preparedness plans.

The conferees note that the Health Alert Network now falls under the umbrella of the Public Health Information Network under development by the CDC. The conferees encourage CDC to provide adequate funding to improve public health capacity for electronic communication and data exchange at the local level in a manner consistent with the Public Health Information Network and with which local public health officials concur. This will enable enhanced local capacity that has resulted from HAN funding to continue.

The conference agreement includes $2,000,000 to continue to discover, develop, and transition anti-infective agents to combat emerging diseases from within amounts available for Upgrading CDC Capacity.

The conferees encourage CDC to conduct a demonstration project with World Medical Leaders to disseminate news, information, and alerts to physicians who are on the front lines in the effort to recognize biological, chemical, and radiological events.

Within the funds available to the Health Resources and Services Administration (HRSA) is $518,000,000 for Hospital Preparedness and $27,870,000 to provide incentives for curricular reform in health professions schools and the delivery of continuing education to those already in practice.

The conferees recognize the importance of training in bio-preparedness and response for emergency physicians and encourage HRSA to support the development of a national bioterrorism response course for practicing emergency physicians. The conferees further encourage HRSA to work with the relevant professional associations through which emergency physicians receive their continuing education credits.

The agreement includes $3,000,000 within funds provided to the Office of the Secretary to continue activities related to the transformation and modernization of the Public Health Service Commissioned Corps.

The conferees recognize the need for development of a comprehensive national strategy to address the Nation's medical response capabilities given the growing threat of biological, chemical, radiation or explosive weapons attacks in the United States. The conferees are aware that the University of Pittsburgh Medical Center (UPMC) is pursuing a comprehensive, integrated strategy for dealing with threats throughout the region. The conferees urge the Department to study the preparedness efforts of institutions such as UPMC, the effectiveness of these programs, and the feasibility of replicating this type of initiative nationwide.

The conferees are aware that a new technology, known as nanometal enhanced fluorescence (NanoMEF), offers promise for providing a rapid, ultra sensitive, method for the detection of bioorganisms, such as anthrax and smallpox. The conferees encourage the Director to review this promising technology and consider supporting its development from within the funds provided.

In addition to the funds for terrorism preparedness and response, the conference agreement includes $50,000,000 for activities to ensure year-round production capacity of influenza vaccine, the same as proposed by the House. The Senate proposed $100,000,000 for the same activities.

GENERAL PROVISIONS

EVALUATION TAP AUTHORITY

The conference agreement includes a provision as proposed by the Senate to allow for a 2.2 percent evaluation tap pursuant to section 241 of the Public Health Service Act. This tap is to be applied to programs authorized under the Public Health Service Act. The House bill contained a provision to allow for a 1.25 percent evaluation tap.

ONE PERCENT TRANSFER AUTHORITY

The conference agreement includes language permitting the Secretary of HHS to transfer up to one percent of discretionary funds between appropriations, with up to an additional 2 percent subject to approval by the Appropriations Committees. The language permits the transfer of funds appropriated for HHS in this Act as proposed by the House. The Senate bill proposed the transfer of funds under this or any other Act.

REFUGEE STATUS OF CERTAIN PERSECUTED GROUPS

The conference agreement includes a provision proposed by the Senate to extend the refugee status for persecuted religious groups. The House bill contained no similar provision. The conferees intend to fully protect religious minority refugee applicants from Iran, including the current caseload of Iranian Christians, Jews, Bahai, Mandeans and Zoroastrians. Therefore, the administration should implement the provisions of section 213 of the conference report with respect to new applications, as well as to review previously

denied applications for refugee applicants who have remained outside of Iran without a viable solution after being denied refugee status.

SYNAR

The conference agreement includes a provision directing States to maintain expenditures in fiscal year 2004 for tobacco prevention programs and for compliance activities at the same level as in fiscal year 2003 as proposed by the Senate.

CDC INTERNATIONAL AUTHORITIES

The conference agreement includes a general provision relating to authorities for the Centers for Disease Control and Prevention to carry out international health activities as proposed by the Senate. The House proposed similar language in two separate provisos.

CMS PROGRAM MANAGEMENT

The conference agreement does not include a general provision proposed by the House reducing the amounts provided to CMS. The Senate bill contained no similar provision.

CDC MANAGEMENT/IT SAVINGS

The conference agreement does not include a general provision proposed by the House reducing the amounts provided to CDC for management and information technology. The Senate bill contained no similar provision.

PARKINSON'S DISEASE RESEARCH CENTERS

The conference agreement includes a general provision proposed by the Senate that overrides section 409B(c) of the Public Health Service Act, which limits the number of Parkinson's disease research centers that may be supported by the National Institutes of Health. The agreement includes language making this provision permanent so that the language does not need to be repeated each fiscal year.

HHS HUMAN RESOURCES CONSOLIDATION PLAN

The conference agreement does not include a general provision proposed by the Senate prohibiting the use of funds for the HHS human resources consolidation plan. The House bill contained no similar provision. The conferees direct the Secretary to provide the House and Senate Appropriations Committees a report identifying the benchmarks HHS is using to measure the speed and cost of its human resources transactions, comparing those benchmarks as of October 1, 2003 to fiscal year 2004 Department performance on a semi-annual basis. The conferees are disappointed that such benchmarks have not been provided to the Committees, despite commitments from the Assistant Secretary for Administration and Management to do so before the consolidation took effect. The conferees expect data in the report that would indicate the average and median length of time to post positions, the average and median length of time to complete hiring, the percentage of applicants accepting the position when offered, the number of transactions as-

signed per human resource FTE, and the estimated cost per transaction.

CONCIERGE CARE

The conference agreement deletes without prejudice bill language proposed by the Senate regarding a study of concierge care. However, the conferees concur in the direction from the Senate reflected in the bill language to the General Accounting Office to conduct a study on concierge care and to report to Congress their findings and recommendations no later than eighteen months after enactment of this Act. The House bill did not include a similar provision.

PEDIATRIC RESEARCH INITIATIVE

The conference agreement deletes without prejudice the general provision proposed by the Senate requiring the National Institutes of Health to report on its pediatric research initiative. The conferees concur in the direction from the Senate reflected in the bill language to produce the report no later than January 2004. The House did not include a similar provision.

POISON CONTROL CENTERS

The conference agreement deletes without prejudice a general provision proposed by the Senate providing an additional $1,500,000 for poison control centers. The conference agreement incorporates this funding into the regular appropriation provided for Health Resources and Services Administration. The House bill contained no similar provision.

AOA OMBUDSMAN PROGRAM

The conference agreement deletes without prejudice a general provision proposed by the Senate providing an additional $1,000,000 for the AoA ombudsman program. The conference agreement instead incorporates this funding into the regular appropriation provided for AoA. The House bill contained no similar provision.

NURSE REINVESTMENT ACT FUNDING

The conference agreement deletes without prejudice a general provision proposed by the Senate providing an additional $50,000,000 for activities authorized under the Nurse Reinvestment Act. The conference agreement includes funding for the nurse training program in the regular appropriation provided for the Health Resources and Services Administration. The House bill contained no similar provision.

PRODUCTS AND INVENTIONS FROM FEDERAL FUNDS

The conference agreement includes a general provision proposed by the Senate requiring the Director of NIH to report to Congress no later than 90 days after enactment of this Act, on the role of NIH in promoting the affordability of inventions and products developed from Federal funds. The House bill did not include this provision.

MAMMOGRAPHY STANDARDS

The conference agreement deletes without prejudice a general provision proposed by the Senate providing an additional $500,000 for the IOM to conduct studies concerning mammography standards. The conference agreement incorporates this funding and associated report language into the Office of the Secretary. The House bill contained no similar provision.

STD PREVALENCE AMONG NATIVE AMERICANS

The conference agreement deletes without prejudice a general provision proposed by the Senate earmarking $1,000,000 from within funds available to the CDC to carry out a competitive grant program regarding STD prevalence among Native American Populations. The conference agreement incorporates similar language within the Statement of the Managers under the heading for the Centers for Disease Control and Prevention. The House bill contained no similar provision.

NEWBORN AND CHILD SCREENING

The conference agreement deletes without prejudice a general provision proposed by the Senate providing $2,000,000 to carry out newborn and child screening of heritable disorders. The conference agreement incorporates this funding into the Maternal and Child Health Block Grant within the Health Resources and Services Administration. The House bill contained no similar provision.

SUMMER HEALTH CAREER PROGRAMS

The conference agreement does not include a general provision proposed by the Senate authorizing a new summer health career program for middle and high school students. The House bill contained no similar provision.

BLOOD AND INJECTION SAFETY IN AFRICA

The conference agreement deletes without prejudice a general provision proposed by the Senate requiring the Director of the Centers for Disease Control and Prevention to report to Congress on a plan to address blood and injection safety in Africa. The conference agreement includes a similar requirement within the Statement of the Managers under the heading for the Centers for Disease Control and Prevention. The House bill contained no similar provision.

HANSEN'S DISEASE STUDY

The conference agreement deletes without prejudice a general provision proposed by the Senate requiring a report concerning Hansen's disease. The conferees concur in the direction from the Senate reflected in the bill language to produce the report. The House bill contained no similar provision.

CHILD ABUSE PREVENTION AND TREATMENT ACT FUNDS

The conference agreement does not include a general provision proposed by the Senate providing additional funds for CAPTA programs. The House bill contained no similar provision.

SIDS DISPARITY RATES

The conference agreement deletes without prejudice a general provision proposed by the Senate providing $2,000,000 for the Office of Minority Health to carry out a demonstration project to reduce sudden infant death (SIDS) disparity rates among high-risk populations. Funding for this initiative has been provided within the appropriation for the Office of the Secretary. The House did not include a similar provision.

COMMUNITY ACCESS TO EMERGENCY DEVICES

The conference agreement deletes without prejudice a general provision proposed by the Senate providing an additional $2,000,000 for community access to emergency devices. The conference agreement incorporates funding for this program into the Health Resources and Services Administration. The House bill contained no similar provision.

EMERGENCY DEVICES FOR RURAL AREAS

The conference agreement deletes without prejudice a general provision proposed by the Senate providing an additional $2,000,000 for emergency devices for rural areas. The conference agreement instead incorporates funding for this program into the Health Resources and Services Administration. The House bill contained no similar provision.

COUNCIL ON GRADUATE MEDICAL EDUCATION

The conference agreement includes a general provision proposed by the Senate allowing for the continued operation of the Council on Graduate Medical Education. The House bill contained no similar provision.

MUSCULAR DYSTROPHY COOPERATIVE RESEARCH CENTERS

The conference agreement includes a general provision proposed by the Senate designating the National Institutes of Health Muscular Dystrophy Centers as the Senator Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers. The House did not include a similar provision.

MOTHER-TO-CHILD HIV TRANSMISSION PREVENTION

The conference agreement deletes without prejudice a general provision appropriating an additional $60,000,000 for mother-to-child HIV transmission prevention activities, and an additional $1,000,000 for non mother-to-child activities, supported by the Centers for Disease Control and Prevention (CDC). Funding for these activities are provided within the appropriation for the CDC. The House bill contained no similar provision.

NIH ROADMAP INITIATIVE

The conference agreement includes language proposed by the Senate authorizing the Director of NIH to enter into agreements to carry out research in support of the NIH roadmap initiative. The House bill did not include such a provision. This provision has been included to assess the merits of this funding approach and to demonstrate whether this funding mechanism would accelerate the research agenda. The conferees direct the Director of the NIH to enter into these agreements solely on the basis of scientific merit, opportunity for medical breakthroughs and urgency of need. It is the conferees intent that these funds be obligated solely at the discretion of the Director of NIH. The conferees understand that all awards would be subject to a competitive process. The language in this Title appropriating funds for the Office of the Director of NIH includes a limitation of $7,500,000 which may be used under the authority created in this general provision.

DENALI COMMISSION

The conference agreement includes language amending the Denali Commission Act of 1998 to clarify that the Commission has authority to use the interagency transfer mechanism rather than grants to receive the funding provided in this Act. The House and Senate bills did not contain this provision.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

The conference agreement includes $14,528,522,000 for Education for the Disadvantaged instead of $14,507,000,000 as proposed by the House and $14,107,356,000 as proposed by the Senate.

For Grants to Local Educational Agencies (LEAs) the agreement provides $12,412,000,000. Both the House and the Senate proposed $12,350,000,000 for this program. The conference agreement includes $7,107,283,000 for basic grants and $1,365,031,000 for concentration grants. The agreement also includes $1,969,843,000 for targeted grants, and $1,969,843,000 for education finance incentive grants. Concentration grants, targeted grants, and incentive grants are all provided on an advance-funded basis.

The House proposed $7,172,971,000 for basic grants, $1,365,031,000 for concentration grants, $3,018,499,000 for targeted grants and $793,499,000 for education finance incentive grants. The Senate bill proposed $7,107,282,000 for basic grants, $1,365,031,000 for concentration grants, $1,670,239,000 for targeted grants, and $2,207,448,000 for education finance incentive grants.

The conference agreement also includes language proposed by the Senate which specifies that the Secretary of Education shall obtain annually updated census poverty data for the purpose of distributing title I funds. The conference agreement does not include language proposed by the Senate directing the Secretary to use

data available on July 1, 2003 to calculate grants for fiscal year 2004 under title I, notwithstanding any other provision of law.

The conference agreement includes $248,375,000 for the Even Start program instead of $250,000,000 as proposed by the House and $175,000,000 as proposed by the Senate. The conferees commend the Office of Student Achievement and School Accountability for their efforts to coordinate and integrate existing Federal, State, and local literacy resources, including those provided under the Head Start program, Title I programs, and Adult Education programs, to strengthen and expand family literacy services. The conferees are aware that the 2003 report, "State Administration of the Even Start Family Literacy Program: Structure, Process and Practices", prepared by the U.S. Department of Education, calls for "Federal leadership to promote collection of core program and participant data that are comparable across States." The conferees also note that the report indicates "States differed greatly in every aspect of Even Start performance indicators that were submitted in June 2001, including the measures used, performance standards set, and subgroups to which the measurements and standards are to be applied," and recommends areas where "further development is needed to enable successful implementation of the [Performance Indicators] system."

The conferees believe that the development of program performance indicators is critical to the Even Start program, however the conferees also understand that much of this development must take place at the State level. Therefore, the conferees urge the Department of Education to work with State coordinators of the Even Start Family Literacy Program and national organizations representing family literacy programs in developing these indicators. The conferees are aware that similar efforts are underway in the adult education, Head Start, and elementary and secondary education programs and suggest that the frameworks and indicators developed under these programs could be adapted to the Even Start progam as well. The conferees also believe that the performance indicators should be consistent with the findings of the ongoing Even Start evaluation being conducted by the Institute for Education Sciences, as required by Title I (B) Sec. 1239 to "improve the performance and effectiveness" of adults and children participating in Even Start Family Literacy programs. The conferees look forward to receiving information in the 2005 Congressional Budget Justification about the Department's plans (including a timeline for implementation) for collecting this information.

The conference agreement also includes $1,030,000,000 for Reading First State Grants instead of $1,050,000,000 as proposed by the House and $1,000,000,000 as proposed by the Senate. It also includes $95,000,000 for Early Reading First instead of $100,000,000 as proposed by the House and $85,000,000 as proposed by the Senate.

The conference agreement also includes $19,960,000 for Literacy through School Libraries instead of $27,500,000 as proposed by the House and $12,419,000 as proposed by the Senate.

The conference agreement includes $395,913,000 for the migrant education program as proposed by the Senate instead of $396,000,000 as proposed by the House. The conference agreement

also includes $19,000,000 for high school equivalency program instead of $24,000,000 as proposed by the House and $16,000,000 as proposed by the Senate and $15,750,000 for college assistance migrant program instead of $16,000,000 as proposed by the House and $15,500,000 as proposed by the Senate.

The agreement also includes $48,682,000 for neglected and delinquent youth as proposed by the Senate instead of $49,000,000 as proposed by the House.

The conference agreement includes $235,000,000 for comprehensive school reform as proposed by the House. The Senate bill did not include funds for this activity.

The conference agreement also includes $8,842,000 for evaluation as proposed by the Senate instead of $9,500,000 as proposed by the House.

IMPACT AID

The conference agreement includes $1,236,824,000 for the Impact Aid programs instead of $1,238,324,000 as proposed by the House and $1,193,226,000 as proposed by the Senate. Within this amount, $1,070,000,000 is provided for basic support payments instead of $1,073,000,000 as proposed by the House and $1,030,292,000 as proposed by the Senate and $62,000,000 is provided for payments for Federal property as proposed by the House instead of $59,610,000 as proposed by the Senate. The conference agreement includes $46,208,000 for construction programs instead of $44,708,000 as proposed by both the House and the Senate. The agreement also includes the following:

Delta Greely School District, Delta Junction, AK, for school renovation	$1,000,000
Fairbanks North Star Borough, Fairbanks, AK, for relocation of the district's kitchen facilities	500,000

SCHOOL IMPROVEMENT PROGRAMS

The conference agreement includes $5,834,208,000 for School Improvement Programs instead of $5,797,637,000 as proposed by the House and $5,731,453,000 as proposed by the Senate. The agreement provides $4,399,208,000 in fiscal year 2004 and $1,435,000,000 in fiscal year 2005 funding for this account.

The conference agreement includes $2,945,825,000 for State grants for improving teacher quality instead of $2,930,825,000 as proposed by the House and $2,850,000,000 as proposed by the Senate. Of this amount, $1,435,000,000 is provided as a fiscal year 2005 advance instead of $1,150,000,000 as proposed by both the House and the Senate.

The conference agreement also includes $150,000,000 for math and science partnerships as proposed by the House instead of $100,344,000 as proposed by the Senate.

The conference agreement includes $300,000,000 for the education block grant instead of $335,000,000 as proposed by the House and $345,000,000 as proposed by the Senate. The agreement also includes $1,005,000,000 for the 21st Century Community Learning Centers program instead of $1,000,000,000 as proposed by both the House and the Senate. The agreement also includes $391,600,000 for State assessments instead of $390,000,000 as pro-

posed by both the House and the Senate. The agreement also includes $16,644,000 for the foreign language assistance program instead of $17,144,000 as proposed by the Senate. The House did not propose funding for this program.

The conference agreement includes $33,500,000 for the Education of Native Hawaiians instead of $36,000,000 as proposed by the Senate and $18,300,000 as proposed by the House. The agreement also includes language notwithstanding any other provision of law to allow funds under this program to be used for construction, renovation and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school run by the Department of Education of the State of Hawaii that serves a predominantly Native Hawaiian student body as proposed by the Senate. The House bill did not contain this provision. The conferees direct that no less than $1,000,000 shall be made available for early childhood activities, no less than $1,000,000 shall be made available to the Hawaii Department of Education for school construction/renovation activities, and $300,000 shall be made available for the University of Hawaii law school's Native Hawaiian legal center.

The conference agreement includes $33,500,000 for the Alaska Native Educational Equity program instead of $36,000,000 as proposed by the Senate and $14,200,000 as proposed by the House. The agreement also includes language notwithstanding any other provision of law to allow funds under this program to be used for construction as proposed by the Senate. The House bill did not contain this provision.

The conference agreement includes $168,827,000 for rural education programs, instead of $170,000,000 as proposed by the House and $167,653,000 as proposed by the Senate.

INNOVATION AND IMPROVEMENT

The conference agreement includes $1,106,811,000 for programs in the Innovation and Improvement account, instead of $807,959,000 as proposed by the House and $782,133,000 as proposed by the Senate.

The conference agreement includes $15,000,000 for Troops to Teachers, instead of $20,000,000 as proposed by the House. The Senate did not propose funding for this program. The conference agreement also includes $45,564,000 for the transition to teaching program, instead of $49,400,000 as proposed by the House and $41,727,000 as proposed by the Senate.

The conference agreement includes $18,000,000 for the National Writing Project instead of $16,890,000 as proposed by the House and $18,890,000 as proposed by the Senate. The conferees intend that, from the increase provided over the fiscal year 2003 level, $500,000 shall be used to support a pilot program on the integration of technology training in the national writing project program.

The conference agreement includes $120,000,000 for the Teaching of Traditional American History as proposed by the Senate instead of $50,000,000 as proposed by the House. The conferees direct the Department to continue its current policy of awarding 3-year grants.

The conference agreement includes $18,500,000 for advanced credentialing activities instead of $16,500,000 as proposed by the House and $9,935,000 as proposed by the Senate. Within this amount, the conferees intend that $10,000,000 be used to complete the fifth year of a five-year grant to the National Board for Professional Teaching Standards (NBPTS) and $7,000,000 be used to continue a grant to the National Council on Teacher Quality. The conference agreement also includes $1,500,000 to conduct an evaluation of the outcomes of teachers who achieved NBPTS certification versus teachers who did not complete certification and teachers who did not participate in or apply for the program. The conferees direct the Assistant Secretary for the Institute for Education Sciences to contract with the National Academies of Science (NAS) to perform an independent, scientific study using the strongest practical methodology to evaluate the impact of board certification, including an assessment of whether the NBPTS certification model is a cost effective method of improving teacher quality and the extent to which certification makes a difference in student academic achievement. In carrying out this study, the NAS should commission the collection of new data and conduct appropriate, rigorous analyses of such data. The conferees also expect that a similar scientific evaluation will be conducted on the outcomes of the work of the National Council on Teacher Quality (NCTQ) when available data will permit such an assessment and therefore urge NCTQ to begin to incorporate evaluation elements into the program now.

The conference agreement includes $37,500,000 for credit enhancement for charter schools instead of $75,000,000 as proposed by the House. The Senate bill did not include funding for this activity.

The conference agreement includes $26,916,000 to support voluntary public school choice programs instead of $25,831,000 as proposed by the House and $28,000,000 as proposed by the Senate.

Fund for the Improvement of Education (FIE)

The conference agreement includes $430,463,000 for the Fund for the Improvement of Education.

Within the total for FIE, the conference agreement includes funding for the following activities in the following amounts:

Reading Is Fundamental	$25,334,000
Star Schools	20,483,000
Ready to Teach	14,406,000
Exchanges with Historic Whaling and Trading Partners	8,500,000
Arts in Education	35,279,000
Parental Assistance Information Centers	42,224,000
Excellence in Economics Education Act	1,500,000
Women's Educational Equity	2,980,000
ED Pubs	1,900,901
Helping Your Child Learn publications	400,000
Recognition programs	808,000
Teacher Quality initiatives	8,500,000
CSRD grants	74,513,000
CSRD clearinghouse	1,639,099
Facilities clearinghouse	700,000
Peer Review	25,000
Reach Out and Read	4,000,000

The conferees intend that the $74,513,000 for comprehensive school reform grants to local educational agencies shall support

grants to States for continuing and new subgrants to local educational agencies for comprehensive school reform activities in both title 1 and non-title 1 eligible schools. The bill includes language specifying that these funds shall be allocated and expended in the same manner as in fiscal year 2003 and provides the funds on a forward funding basis.

As noted above, the conference agreement includes $700,000 for the National Institute of Building Sciences to continue operation of the National Clearinghouse for Educational Facilities, the Nation's sole source for comprehensive information about school planning, design, financing, construction and maintenance. The conferees expect that the Department will provide an additional $300,000 for this purpose to address issues related to school safety and healthy school buildings, as described in the administration's budget request for Safe and Drug-Free Schools and Communities National Programs.

For Arts in Education, the conferees intend that within this total, $7,250,000 is for VSA Arts and $6,225,000 is for the John F. Kennedy Center for the Performing Arts. In addition, $4,000,000 is for cultural partnerships, $7,500,000 is for model professional development programs for music, drama, dance and visual arts educators and $304,000 is for evaluation activities. The remaining $10,000,000 is available to continue model arts programs.

The conferees have included additional funds in this line item for the Secretary to support programs and projects that address national priorities in K–12 education.

The conferees direct the Department to implement the Act consistent with their intent, as reflected above, and request an implementation plan to be submitted to the House and Senate Committees on Appropriations within 30 days of enactment of the Department of Education Appropriations Act, 2004. To the extent that the Department wishes to reprogram funds in order to address other activities or alter the allocation of funds for activities listed in the chart above, the conferees expect the Department to follow the guidance provided in this statement of the managers.

Within the total for FIE, the following amounts are also provided:

100 Black Men of Louisville, Louisville, KY for Project MALE	$12,000
10th District Gang Task Force, Herndon, VA, for program development and implementation for at-risk and gang prevention after-school programs	280,000
Academy of Music, Lynchburg, VA, to support an arts education program for area students	100,000
Academy of Natural Sciences, Philadelphia, PA, for educational programming associated with the Lewis and Clark expedition	150,000
AFI Silver Theater and Cultural Center, MD for a technology-based mentoring program for at-risk youth	250,000
After the Bell Program, Soldotna, AK, for after school programs	100,000
Alaska Department of Education, Juneau, AK, for remedial education programs to help low-performing students meet testing requirements	2,000,000
Alaska Education Services, Anchorage, AK, for East Anchorage Youth in Peril Program to provide after school and summer programs for at risk youth	475,000
Alaska Hospitality Alliance, Anchorage, AK, for a vocational training program	100,000

Alaska Humanities Forum, Anchorage, AK, to bring authors to rural and remote school districts to promote literacy, reading, and writing skills through the Authors in Schools program	50,000
Allegheny Conference on Community Development, Pittsburgh, PA, in collaboration with War for Empire, Inc., for educational programs and activities associated with the 250th anniversary of the French and Indian War	350,000
American Foundation for Negro Affairs (AFNA) National Education and Research Fund, Philadelphia, PA, to raise the achievement level of minority students and increase minority access to higher education	650,000
American Humane Animal Welfare Education Program, Denver, CO, to support a model animal health and welfare educational program for elementary and secondary education students	50,000
American Red Cross of Southeastern Pennsylvania, Philadelphia, PA, for educational programming	25,000
American Society of Educators, Philadelphia, PA, to develop and disseminate materials on the use of instructional technologies	50,000
American Theater Arts for Youth, Inc., Philadelphia, PA, for an arts in education program	75,000
American Theater Arts for Youth, Philadelphia, PA for youth arts programs in San Diego County, CA	50,000
American Theater Arts for Youth, Philadelphia, PA for youth arts programs in Washington State	50,000
American Theater Arts for Youth, Philadelphia, PA, for elementary school students in Idaho	100,000
American Theater Arts for Youth, Philadelphia, PA, for the Mississippi Arts in Education Program	150,000
Americana Community Center, Inc., Louisville, KY for an after school program and computer classes	52,000
An Achievable Dream, Newport News, VA, for curriculum development and a college preparation program	250,000
Anchorage Museum of History and Art and Alaska Humanities Forum, Anchorage, AK, to develop curriculum on Alaskan culture and art for Alaska schools	200,000
Anchorage School District, Anchorage, AK, for an English Language Instruction program for limited English proficiency students	500,000
Anchorage School District, Anchorage, AK, in conjunction with the Fairbanks North Star School District, for a technology-based system for standards-based instruction	500,000
Annie Malone Children and Family Service Center, St. Louis, MO, to expand an early education program and services and to include the Parents as Teachers Program	750,000
Artspace Projects, Inc., Minneapolis, MN, for the Artspace Projects Distance Education Initiative, which may include the acquisition of technology	100,000
Atlantic City Schools, Atlantic City, NJ for English as a second language curriculum	125,000
Audubon Pennsylvania, Audubon, PA, to support educational programming that focuses on the art and writings of John Audubon	100,000
Augusta Public Schools USD #402, Augusta, KS, for staff development and implementation of technology curriculum	250,000
Bakersfield Music Theatre, Bakersfield, CA, for the STARS School of Fine Arts	100,000
Beaufort County School District, Hilton Head Island, SC for the development and implementation of a model program in technology and literacy for K–12 education teachers	200,000
Bellevue School District, Washington, for implementation of an English as a Second Language training program	250,000
Bethesda Children's Home, Meadville, PA, to integrate a vocational and technical component into the educational curriculum	50,000
Big Brothers Big sisters of Greater Pittsburgh, Inc., Pittsburgh, PA, for a mentoring initiative for children of incarcerated parents	150,000

Big Brothers/Big Sisters of Anchorage, Fairbanks, and Southeast Alaska, in partnership with Alaska Department of Education, the Boys and Girls Club and Cook Inlet Tribal Council for a comprehensive mentoring program for at-risk children	300,000
Bossier Parish School Board, Benton, LA, for technology enhancements	100,000
Boston Symphony Orchestra, Boston, MA, for youth musical training and educational programs	400,000
Boys and Girls Club of Philadelphia, Philadelphia, PA, to develop a school-based mentoring program	50,000
Boys and Girls Clubs of America, Atlanta, GA, for computer training for at-risk youth	2,000,000
Boys and Girls Clubs of Indian River County, Vero Beach, FL	100,000
Boys and Girls Harbor, Inc., New York, NY, for a financial literacy project at the Germantown Settlement Charter School in Philadelphia, PA	25,000
Bozeman Public School District, Bozeman, MT, for a pilot, standards-based learning program for elementary, middle, and high school students	650,000
Bradford High School, Bradford, PA, to improve the metalworking program	100,000
Bucks County Quality Child Care Coalition for Early Care and Education, Doylestown, PA, to improve the quality of early childhood education programs	50,000
Burns Telecommunications Center at Montana State University-Bozeman, Bozeman, MT, to support the coalition for establishing a National Teacher Enhancement Network for access to high quality online professional development for science teachers	250,000
CableLife Community Enrichment Corporation, Louisville, KY, for after school programs	50,000
Cabrini Mission Foundation, New York, NY, for technology, math and science resources	50,000
Caddo Parish School Board, Shreveport, LA, for technology enhancements	100,000
Calcasieu Parish School Board, Lake Charles, LA, for technology enhancements	100,000
Caldwell County Education Consortium, Lenoir, NC, for teacher training program	250,000
Canaan Community Development Corporation, Louisville, KY, for after school programs	50,000
Canton City Schools, Canton, OH, for the Genesis math project	250,000
Canton School District in Canton, SD, for a community education program	50,000
Canton Symphony Orchestra, Canton, OH, for orchestra education	400,000
Carnegie Science Institute, Pittsburgh, PA, for education programs for teachers and students as part of the Pittsburgh International Science and Technology Festival	50,000
Carthage Technical Center, Carthage, MO, for equipment	250,000
Centennial School District, PA, for a payment under subpart 20 of part D of title V of the ESEA, without regard to the requirements of that subpart	450,000
Center for Educational Services, Auburn, ME, to establish the Schools and Technology for Assessment and Reflection (STAR) program	300,000
Center for Houston's Future, Houston, TX, for early education programs	150,000
Center for Integrative Medicine at Inner Harmony, PC, Clarks Summit, PA, to develop a pilot program to assist children in coping with stress	200,000
Center for the Improvement of Teacher Education and Schooling (CITES), Brigham Young University-Public School Partnership, Provo, UT, for public school reading instruction for intermediate and secondary grades	300,000
Central Pennsylvania Youth Ballet, Carlisle, PA, for an arts in education program	25,000

Central Valley School District 356 in Greenacres, WA, to purchase and implement the PLATO system to improve student achievement	500,000
Centre County AVTS, Pleasant Gap, PA, for technology equipment	100,000
Chambers County Board of Education, Lafayette, AL, for the School District Internet Access Project	50,000
Champions of Caring, Villanova, PA, to support a recognition program for high school students serving their communities	100,000
Charter School Development Corporation in Las Vegas, NV, to focus on technology and college preparation	800,000
Charter School Institute, Philadelphia, PA, for the Shipyard Charter School to develop curriculum and acquire equipment for apprentice programs	50,000
Chemeketa Community College, Salem, OR, for a high school equivalency program	30,000
Chesapeake Bay Foundation, Annapolis, MD, in collaboration with the Living Classrooms Foundation, Baltimore, MD, to provide field and computer programs about the Chesapeake Bay	350,000
Chesapeake Bay Foundation, Annapolis, MD, for environmental education programs in Pennsylvania	50,000
Cincinnati Zoo and Botanical Garden, Cincinnati, OH, for fiber optic data transmission system equipment	100,000
City of Baker School Board, Baker, LA, for technology enhancements	50,000
City of Providence, RI, on behalf of the Providence Public Schools, for an assessment of the school system, and development and implementation of a school improvement plan	150,000
City of San Bernardino, CA Superintendent of Schools to expand the Schools-to-Careers initiatives	350,000
City of San Jose, CA, Office of Early Care and Education Services to enhance training in the Smart Start program	400,000
City of Stockton, Stockton, CA, for the Stockton After School Program	500,000
City Year Inc., Philadelphia, PA, for the High School Heroes program to reduce truancy and drop-out rates	225,000
Clark County Public Education Foundation in Las Vegas, NV, to support development of educational and technical activities	100,000
Clark County School District, Las Vegas, NV, to provide support for academic enrichment activities	75,000
Clark County School District, Las Vegas, NV, "Success Through English Program" (STEP) to provide intensive English Language instruction and testing services	150,000
Clark County School District, Las Vegas, NV, for intensive math and reading intervention programs, including equipment costs	100,000
Clark County School District, Las Vegas, NV, for teacher quality improvements	1,500,000
Clemson University, Clemson, SC, for Call Me Mister program	250,000
Cleveland Avenue YMCA, Montgomery, AL, to support an after school program serving at-risk youth	50,000
Cleveland Botanical Garden, Cleveland, OH, for One by One Thousand Outreach project	250,000
Cleveland Independent School District, Cleveland, OH, to further implement the Voyager Universal Literacy Program, the Voyager Passport Program and other Voyager Expanded Learning programs designed to improve student literacy	150,000
Cleveland Institute of Music, Cleveland, OH, for distance learning	500,000
Coahoma Community College, Clarksdale, MS, to support improved student achievement and teacher quality through the Student-Teacher Enhancement Program	50,000
Cobbs Creek Community Environmental Education Center, Inc., Philadelphia, PA, to support environmental research conducted at the center by select high school students	100,000
Coconino County School District, Arizona, for teacher quality improvements	500,000
College of Staten Island, Staten Island, NY, for a Teacher Education and Enrichment Program	400,000

College Summit, Inc., Washington, DC, for increasing college enrollment rate of low income youth	3,000,000
Communities in Schools of Virginia, Richmond, VA, to continue to help children achieve academic success, and to expand its program to more communities	150,000
Communities in Schools, Alexandria, VA, for national program activities to coordinate community resources to help youth stay in school	800,000
Community Economic Empowerment Corporation, Louisville, KY, for after school programs	50,000
Community Foundation in Decatur, IL, to support science programs and related academic activities for local high school students	100,000
Community Foundation of Louisville, Louisville, KY, for Lac Viet reading programs	50,000
Community of Agile Partners in Education/Pennsylvania Educational Telecommunications Exchange Network (CAPE/PETE), Bethlehem, PA, for distance learning programs	300,000
Conservatory for the Performing Arts Charter School, St. Paul, MN, for development and support of educational programs	25,000
Constitutional Foundation, Philadelphia, PA, to develop educational programming on the history of the Constitution	50,000
Continuation and expansion of the Iowa Communications Network statewide fiber optic demonstration	1,000,000
County of Charleston, Charleston, SC, for a Charleston Media Technology Park project	200,000
County of Venango, Franklin, PA, to promote environmental and heritage education	50,000
Danville Independent Schools, Danville, KY, for Danville Kids' University	150,000
Dauphin County, PA, for a Truancy and Delinquency Reduction Program	50,000
Delaware Valley Earth Force, Wyncote, PA, for environmental education programs	37,500
Delta Greely School District, Delta Junction, AK, to develop interactive online courses and provide distance education services (via the Internet) to small schools in rural Alaska	750,000
Deming Public Schools, Deming, NM, to support the alternative high school program, district improvement plan and technology enhancement program	680,000
DePaul School, Louisville, KY, for educational instructional materials	50,000
Discovery Center of Science and Technology, Bethlehem, PA, for educational programs and exhibits that will demonstrate best practices for teaching science	200,000
East Baton Rouge Parish School Board, Baton Rouge, Louisiana, for technology enhancements	100,000
Eastern National, Fort Washington, PA, for education programs	50,000
Ed & Ruth Lehman YMCA, Longmont, CO, to support afterschool programs	15,000
Educare of Omaha, Inc., NE to promote school readiness among low-income children	750,000
Education Leaders Council, Washington, DC, for the Following Leaders project	10,000,000
Educational Service District #101, Spokane, WA for distance learning	300,000
El Dorado Public Schools, El Dorado, KS, to extend Project Connect	250,000
Encore Series, Inc., Philadelphia, PA, for the Jazz in the Schools music education program	100,000
Endeavor Academy, Titusville, FL, for professional development workshops to K–12 teachers in math, science, technology and reading	200,000
Entrepreneurship Florida, Tampa, FL, for teacher training, student curriculum/text material, administrative costs	100,000
Fairbanks North Star Borough School District, Fairbanks, AK, for the 4 R Children's program	300,000

Fairfax County Public Schools, Fairfax, Virginia, for a delinquency prevention program for students with behavioral and emotional needs	200,000
Fairfax County Public Schools, Fairfax, Virginia, to initiate a course in Emergency Medical Services for Falls Church High School to respond to future security and safety incidents	100,000
Fairfax Education Foundation, Fairfax, Virginia, to implement a web-based communications portal, Partnerships to Advance Learning	250,000
Family First Foundation, Erie, PA, for alternative education programs for at-risk youth	75,000
Family Life Center, Inc., Louisville, KY for after school programs	50,000
Family Services of Northeast Wisconsin, Green Bay, WI, to expand afterschool programming for minority and at-risk youth	125,000
Father Maloney's Boy's Haven, Louisville, KY for education programs	50,000
Field Kindley High School, Coffeyville, KS, for start-up costs for implementing a Health Careers program	250,000
First Book, Washington, DC, to establish a First Book Rural Initiative in Idaho	450,000
First Tee, St. Augustine, FL for a character education program	1,000,000
Fisher's Peak YMCA, Trinidad, CO, for afterschool programs and a summer camping program	15,000
Flagship After School Program in Missoula County, MT, for after school and summer school programs	100,000
Florida Orchestra, Tampa, Florida, for a demonstration program	250,000
Florida State University, Tallahassee, Florida, for a Florida reading, math and science initiative	1,500,000
For Us Northwest, Portland, OR, for a mentoring program for children affected by HIV/AIDS	25,000
Fort Worth Independent School District, Fort Worth, TX, for the ISD Imagination Station project	500,000
Foundation for the Improvement of Mathematics and Science Education, CA for student assessment, teacher training, and curriculum development	100,000
Foundation for the Improvement of Mathematics and Science Education, San Diego, CA, to implement the Blueprint for Student Success project in the San Diego City Schools	800,000
Fox Valley Family YMCA, Plano, Illinois, for the Teen Action Agenda Program	230,000
Franklin Technology Center, Joplin, MO, for equipment	250,000
Freedoms Foundation at Valley Forge, PA, to support civic education programs for students	100,000
Futures For Children, Albuquerque, NM, to support programs that help American Indian youth stay in school	1,100,000
Galena School District, Galena, AK, for a distance education program	500,000
Galena School District, Galena, AK, to develop an assets-building program for transitioning of Rural Alaska Students in boarding school environments	600,000
Galilee Community Development Corporation, Louisville, KY for academic tutoring and enrichment	30,000
Gettysburg College, Gettysburg, PA, for the development of an arts in education program to serve K–12 students	50,000
Gibson Technical Center, Reeds Spring, MO, for equipment	250,000
Girl Scouts of the USA, Washington DC for a science and math program	500,000
Give Every Child A Chance, Manteca, CA, to provide tutoring services to children in grades K–12	500,000
Grand Valley State University, Allendale, MI, for a Teacher Academy program to address the unique needs of and demand for teachers in urban districts	50,000
Grant Joint Union High School District, Sacramento, California, for Maritime Technology Training Program	53,000
Great Lakes Science Center, Cleveland, OH, to develop educational programs to promote literacy in math, science, and technology	350,000

Great Projects Film Company, Inc., Washington, DC, to produce "Educating America," a documentary about the challenges facing our public schools	50,000
Greater Cleveland Growth Association, Cleveland, OH for curriculum development for an advanced manufacturing and engineering technology academy	250,000
Green Tree School, Philadelphia, PA, for an educational-based, after school program for students with serious emotional disturbances	50,000
Hartman Home Transitional Living Program, Wilkes-Barre, PA, to support the development of critical life skills for at-risk youth	50,000
Heartland Regional Community Foundation, St. Joseph, MO, to create a regional youth development program for 12–15 year olds	125,000
Hillsborough Community College, Tampa, FL, for the Information Technology, Innovative Teaching, and Instructional Technology (IT–3) program to develop and implement a technology training program for K–12 teachers	500,000
Hollidaysburg Area School District, Hollidaysburg, PA for an interactive instructional system	100,000
Holton High School, Holton, KS, for equipment and technology infrastructure	150,000
Houston Independent School District, Houston, Texas, for River Oaks Elementary to set up an International Baccalaureate program	50,000
Humphreys County School District, MS, for curriculum and library resource improvement	25,000
Huntingdon College, Montgomery, AL, for training K–12 teachers in the use of education technology	200,000
Hurley School District in Hurley, Wisconsin for after school programs	250,000
I Can Learn, New Orleans, LA for technology programs	3,500,000
Idaho Falls School District 91, Idaho Falls, Idaho, to implement an English as a Second Language instructional program	400,000
Illinois Coalition of Challenger Learning Centers, Bloomington and Woodstock, Illinois, for science education programs	500,000
Illinois Math and Science Academy for 21st Century Information Fluency Project	500,000
Illinois State Board of Education, Springfield, IL for North Chicago SD #187 for school improvement to low-performing high schools and middle schools	90,000
Illinois State Board of Education, Springfield, IL for the Flora School District career and technical education	125,000
Illinois State Board of Education, Springfield, IL for the Robinson High School computing program	165,000
Illinois State Board of Education, Springfield, IL for Waukegan CUSD #60 for school improvement to low-performing high schools and middle schools	90,000
Illinois State Board of Education, Springfield, IL for Wheeling CCSD #21 for math achievement in the middle grades	70,000
Illinois State Board of Education, Springfield, Illinois, for Aurora West SD 129, to assist in implementing Career Academies at West Senior High School	250,000
Illinois State Board of Education, Springfield, Illinois, for Carpentersville CUSD 300 for school improvement interventions in their low-performing high schools and middle schools	300,000
Illinois State Board of Education, Springfield, Illinois, for Elgin U 46 to strengthen and expand the instruction related to the Illinois Learning Standards in Career and Technical Education	250,000
Illinois State Board of Education, Springfield, Illinois, for Illinois Virtual High School Project	50,000
Illinois State Board of Education, Springfield, Illinois, for the Taft School District 90 to improve student achievement through technology-based and resource-based instruction	150,000
Illinois State Board of Education, Springfield, Illinois, to establish an early learning program in Plainfield CCSD 202	150,000
Independence USD 446, Independence, KS, for teacher training and technology curriculum development	250,000

Indian River Community College, Fort Pierce, FL, for teacher education and training	100,000
Institute for Advanced Learning and Research, Danville, VA, for technology training for educators and students	600,000
Institute for Education and the Arts of the National Music Center and Museum Foundation, Washington, DC for a music education demonstration	500,000
Institute for Student Achievement, Lake Success, NY, for educational programs for at-risk students	750,000
Institute for Student Achievement, Lake Success, NY, for programmatic costs at Annandale High School in Virginia	225,000
Institute for Student Achievement, Lake Success, NY, for programmatic costs at Glen Cove High School in New York.	140,000
Institute of HeartMath, Boulder Creek, CA for a national demonstration on student standardized testing	1,000,000
Intermediate Unit 17 Technology Improvement Project, Williamsport, PA, to support school districts and enhance their access to information technology	200,000
International Music Products Association, Carlsbad, California, to provide students in San Diego County with music education	125,000
Iowa Association of School Boards, Des Moines, IA for the Lighthouse for School Reform project	500,000
Iowa Department of Education to continue and expand a demonstration program for additional bilingual and English as a Second Language training	1,000,000
Iowa Department of Education to continue the Iowa School Construction Demonstration Project	7,000,000
Iowa State Education Association, Des Moines, IA, for an initiative to educate students on the role of international trade in the U.S. economy	155,000
Iron County Schools, Cedar City, UT, to support the development of the Student Achievement Management (SAM) information system	100,000
Isaac Stern Education Legacy in New York, NY, to integrate distance learning and educational technology with music education programs	150,000
JASON Foundation for Education to extend science education and teacher professional development programs to schools in South Carolina	500,000
Jefferson County Public School District, Golden, Colorado, for an English Language Development Program	500,000
Jefferson County-DuBois AVTS, Reynoldsville, PA, to improve the technical education capacity of the school	250,000
Junior Achievement of Kentuckiana, Inc., Louisville, KY, for economic education	40,000
Junior Achievement of Southwest Pennsylvania, Inc., Warrendale, PA, to implement Exhange City, a nationally recognized, innovative learning program, in Pittsburgh	100,000
Kathleen Elementary School, Lakeland, Florida, for technology enhancements	30,000
Kids Voting South Dakota in Pierre, SD to expand programming in tribal schools	60,000
KIPP Foundation, San Francisco, CA for KIPP School Leadership Program	4,000,000
KNME, Albuquerque, NM, to support the American Indian Literacy program	750,000
Knowledge Works, Cincinnati, OH for Ohio High School Transformation Initiative	1,000,000
L.E.A.D.E.R.S program, Rochester Hills, Michigan for character education programs	150,000
LA's BEST After School Enrichment Program in Los Angeles, CA	400,000
Lafayette Parish School Board, Lafayette, Louisiana, for technology enhancements	100,000
Lafourche Parish School Board, Thibodaux, Louisiana, for technology enhancements	100,000
Lake Erie-Allegheny Earth Force, Erie, PA, for environmental education programs	37,500

Lansing Public Schools, Lansing, MI, to implement the Help One Student to Succeed Reading Centered School program	198,000
Last Frontier Council of the Boy Scouts of America, Oklahoma City, OK for the Learning for Life program	200,000
Lenawee Agricultural Learning Center, Adrian, MI, for fiber optic connection and equipment	92,000
Letcher County Board of Education, Whitesburg, Kentucky, for technology equipment	300,000
Liberty Memorial Association, Kansas City, MO, to develop education programs for students	50,000
Lindsey Wilson College, Columbia, Kentucky, for Math and Sciences Career Development Center	350,000
Line Mountain School District, Trevorton, PA, to develop a pilot project designed to offer specialized curriculum and vocational training related to careers in volunteer firefighting to high school students in Pennsylvania	50,000
Livingston Parish Technology and Literacy Center, Denham Springs, Louisiana, for educational programs	71,000
Loess Hills Area Education Agency in Iowa for a demonstration in early childhood education	750,000
Logan City School District, Logan, UT, for support of the Early Reading Assistance Project	100,000
Long Island Philharmonic Orchestra, Melville, New York, for music educational programs	250,000
Look Up To Cleveland, Cleveland, Ohio, to encourage the development of Cleveland's young leaders	75,000
Los Angeles County Office of Education, Downey, California, for the Early Advantage Initiative project	500,000
Louisiana Department of Education for TAP, a multi-tiered, teacher staffing model that provide teachers with new career growth paths, increased salary flexibility and ongoing professional development	200,000
Lycoming County Career Consortium, Williamsport, Pennsylvania, to improve the technical education capacity of the consortium	100,000
Marketplace for Kids for an entrepreneurial education program in North Dakota	300,000
Marywood University, Scranton, PA, for technology and curriculum development for the Center for Assistive Technology laboratories to provide training to K–12 educators on teaching practices	300,000
Maui Economic Development Board for Girls into Science Program	300,000
Medaille College, Buffalo, New York, for literacy program at the Western New York Center for Literacy and Learning	50,000
Messiah College, Grantham, PA, to support initiatives to improve educational opportunities for children in grades K–12	200,000
MicroSociety, Philadelphia, PA, to further develop and disseminate a whole school model of reform	200,000
Midlands Youth Foundation, Chicago, IL, for the Beat the Streets Program	150,000
Military Heritage Foundation, Carlisle Barracks, PA, for the United States Army Heritage and Education Center for education materials and programs on military and social history	100,000
Milton S. Eisenhower Foundation to continue a demonstration on full-service schools in Iowa	500,000
Milton S. Eisenhower Foundation to support a full-service community school in the Tukwila school district in Washington State	250,000
Milton S. Eisenhower Foundation, Washington, DC, to replicate the full-service community school program in Pennsylvania	300,000
Minnesota Historical Society, St. Paul, MN, in collaboration with the University of Minnesota, for improving academic achievement through history education	25,000
Mira Loma High School, Sacramento, California, for the International Baccalaureate Program	25,000
Mississippi Broadcasting Networks, Jackson, MS, for public radio broadcast of student writing through the Rural Voices initiative	100,000
Monett R–1 School District, Monett, MO, for support of the Southwest Area Career Center, including acquisition of equipment and technology	500,000

Monroe City School District, Monroe, Louisiana, for technology enhancements	50,000
Moore College of Art and Design, Philadelphia, PA, for equipment and the expansion of the Young Artists Workshop, an arts education program offered to underprivileged students from the Philadelphia School District	50,000
Motivational Productions, Garden Ridge, TX, to establish a violence/drug prevention and character education program	250,000
Mountain Arts Center, Prestonsburg, Kentucky, to expand its music and arts program	225,000
Mountain Laurel Center, Bushkill, PA, for equipment and program development related to the Mountain Laurel Institute	200,000
Musical Arts Association, Cleveland, OH for education outreach programs projects	500,000
Naperville Community Unit School District 203, Naperville, Illinois, for a P.E. 4LIFE Institute to train more physical education teachers throughout the state on proven methods of innovative physical education programs	200,000
National Aviary, Pittsburgh, PA, for technology for the Flite-Zone immersive classroom and expansion of nature education programs	100,000
National Council of La Raza, Washington, D.C., to develop assessment guidelines for limited English proficient students and to expand professional development academies	500,000
National Foundation for Teaching Entrepreneurship to Handicapped and Disadvantaged Youth in partnership with Seattle Public Schools to provide financial literacy and entrepreneurship education to low-income and minority youth	100,000
National Foundation for Teaching Entrepreneurship to Handicapped and Disadvantaged Youth, Inc., Pittsburgh, PA, to provide financial literacy and entrepreneurship education to low-income and minority youth in Philadelphia and Pittsburgh	100,000
National History Day for a history competition in Iowa	100,000
National Maritime Heritage Foundation, Washington, DC, for the Spirit of Enterprise Maritime Heritage Education Program	75,000
National Science Center Foundation, Augusta, GA for educational technology and other purposes	1,000,000
National Student Partnerships, Washington, DC, for National Service Program training activities to improve and evaluate methods of expansion for national training programs	100,000
National Ten-Point Leadership Foundation, Boston, MA, for math and science programs for at-risk youth	225,000
New Avenues for Youth, Portland, OR, for educational services to homeless youth	30,000
New Orleans Outreach to expand the programming and administration of their school based volunteer program	200,000
New School University, New York, NY, for a pilot program to provide supplementary services and support to at-risk, low-income high school students	250,000
New York University, Child Study Center, NY, for the "Parent Corps" initiative	100,000
New Zion Community Development Foundation, Inc., Louisville, Kentucky, for after school programs	50,000
North Carolina Electronics and Information Technologies Association, Raleigh, North Carolina, for its School Technology Demonstration Project	250,000
North Central Regional Education Laboratory, Naperville, IL for a center to help states implement the No Child Left Behind Legislation	200,000
North Rockland Central School District for an Early Childhood Center in Rockland County, NY	50,000
North Slope Borough School District, Barrow, AK, for an early childhood education program	300,000
Northern Illinois University, College of Liberal Arts and Sciences, DeKalb, IL, for student support, including stipends, equipment and computers for a paleontology research project	100,000

Ohio Board of Regents, Columbus, OH, for a science education network	1,700,000
Ohio Department of Education for Teacher Preparation Demonstration—Charter College and Apprenticeship Model	800,000
Oil City Area School District, Oil City, PA, to establish a technology laboratory	100,000
Oklahoma State Department of Education, Oklahoma City, Oklahoma, to sustain and expand their handheld computer program	150,000
On line Louisiana, New Orleans, LA, for an on-line project	200,000
Opera Company of Philadelphia, Philadelphia, PA, for the Sounds of Learning arts education program	50,000
Oregon Partnership, Portland, OR, for a program to close the achievement gap for Hispanic students	125,000
Ouachita Parish School Board, Monroe, Louisiana, for technology enhancements	50,000
PACE Juvenile Justice Center in Des Moines, Iowa, to establish the Director's Council of Des Moines to coordinate youth services	300,000
Pacific Islands Educational Center in American Samoa, to support the use and application of basic English and math skills	400,000
Panhandle Area Educational Consortium, Chipley, Florida, to establish a reading teacher program	500,000
Parent Institute for Quality Education in San Diego, CA, to provide a parent training program	100,000
Parents as Teachers National Center, St. Louis, MO, to revise the Born to Learn Curriculum	400,000
Parents, Inc., Anchorage, AK, for expansion of Parents Inc. programs and activities in Alaska	500,000
Parks Unlimited, Inc., Franklin, PA, for environmental education programs	50,000
Partners in Economic Progress in Des Moines, IA, for a mentoring and education support program for disadvantaged children	400,000
Partnership for Children, Kansas City, MO, for structured before and after school educational programs	1,000,000
Peace Center, Inc., Louisville, KY, for after school programs	20,000
Pennsylvania Academy of Fine Arts, Philadelphia, PA, for support of an after-school arts program	25,000
Pennsylvania Academy of Music, Lancaster, PA, to develop and conduct a performance-based, classical music education program	50,000
Pennsylvania Ballet Association, Philadelphia, PA, for outreach and education programs	100,000
People for People, Inc., Philadelphia, PA, for programs at the Parent Information Resource Center	100,000
Philadelphia Department of Recreation, Philadelphia, PA, for a mentoring initiative as part of the Camp William Penn program	50,000
Philadelphia Foundation, Philadelphia, PA, for a Sports and Entertainment Career Expo to expose high school students to career opportunities in the sports industry	50,000
Philadelphia Health Management Corporation, Philadelphia, PA, in collaboration with the National Center for Learning Disabilities, to conduct early childhood literacy training and program development activities as part of the Get Ready to Read! Initiative	100,000
Philadelphia Martin Luther King, Jr. Association for Nonviolence Inc., Philadelphia, PA, for its College for Teens program	50,000
Philadelphia Mural Arts Advocates, Philadelphia, PA, for an after-school art education program	25,000
Philadelphia Orchestra, Philadelphia, PA, for educational programs	175,000
Philadelphia Safe and Sound, Philadelphia, PA, to offer comprehensive youth development activities, including after-school programming, as part of a full community school approach	100,000
Philadelphia Zoo, Philadelphia, PA, for the Zoo School Education program and the Junior Zoo Apprentice New Ventures program	250,000
Phipps Conservatory and Botanical Gardens, Pittsburgh, PA, to provide educational programs for students visiting the gardens	200,000
Pinal County School District, Arizona, for teacher quality improvements	500,000

Pittsburgh Technology Council, Pittsburgh, PA, for technology upgrades and expansion of the Technology Literacy Initiative to train K–12 teachers and students in the use of computers	100,000
Pittsburgh Voyager, Pittsburgh, PA, for math and science education programming for students	250,000
Plymouth Community & Renewal Center, Louisville, KY for summer day camp and managing adolescent problems	20,000
Point Hope Daycare Center, Point Hope, AK, to train teachers and improve programs for young children	50,000
Presbyterian Community Center, Louisville, KY for youth development education	100,000
Presque Isle State Park, Erie, PA, for curriculum development and environmental education programs	25,000
Prince William County Public Schools, Manassas, Virginia, for Middle School Reading and Math Remediation Program	200,000
Prince William County Public Schools, Manassas, Virginia, for Bilingual Literacy Extended Kindergarten Program	200,000
Project 2000, Washington, DC, for after school programs to provide academic and mentoring services to inner city youth	125,000
Project GRAD–USA Inc., Houston, TX, for continued support and expansion of the program focusing on school reform	20,000,000
Project H.O.M.E., Philadelphia, PA, for an afterschool program	100,000
Project Rainbow, Philadelphia, PA, to provide early childhood services and after-school programs	250,000
Provo City Public Schools, Provo, Utah, to develop, purchase and implement an English language instructional program for training and certifying ESL teachers	300,000
Public/Private Ventures, Philadelphia, PA, for the Youth Education for Tomorrow Center, as part of an after-school, literacy initiative	50,000
Rabbit Run Community Arts Association, Madison, OH, for educational programs	90,000
Rapides Parish School Board, Alexandria, Louisiana, for technology enhancements	100,000
ReadNet Foundation, New York, NY, for a web-based educational program	300,000
Recognizing Achievement-Rewarding Excellence Foundation, Troy, MI, for an award and education program and student leadership services	225,000
Regent University, Virginia Beach, Virginia, for character education programs in Chesapeake and Suffolk School systems	350,000
Research for Better Schools, Philadelphia, PA, to provide research-based technical assistance to school districts to assist in implementing math and science goals	50,000
Richmond Public School System, Richmond, Virginia, for technology upgrades	62,000
Rio Rancho Public Schools in New Mexico, for the Consortium of Teacher Excellence	100,000
Riverside County Office of Education, Riverside, CA, for the Riverside County Achievement Team Program	133,000
Robert Morris College to expand its College Excel program that provides college academic and career skills to high school seniors and juniors	750,000
Rock School, Philadelphia, PA, to support dance education and a school outreach program	150,000
Salvation Army Boys and Girls Clubs, Louisville, KY, for Project Learn and Family Learning Centers	200,000
San Bernardino City Unified School District, San Bernardino CA, for vocational training program	750,000
San Bernardino City Unified School District, San Bernardino, CA, for developing English skills for English learners	500,000
San Bernardino County Superintendent of Schools, San Bernardino, California, for a Virtual High Tech High Program	500,000
San Juan Unified School District, Carmichael, CA, for Focus on Literacy project	326,000
San Juan Unified School District, Carmichael, CA, for Mira Loma High School Arcade Creek environmental education program	96,000

San Pasqual Academy, Escondido, California, for information technology infrastructure	125,000
School District of La Crosse, La Crosse, WI, for after school programs	250,000
School District of Palm Beach County, Florida, to further a demonstration family literacy education program	125,000
School District of Palm Beach County, West Palm Beach, Florida, to expand curriculum and professional staff development	200,000
School District of Philadelphia, Philadelphia, PA, to reduce school violence by utilizing community partnerships	250,000
Schoolcraft College, Livonia, Michigan, for its Pipeline to Science and Math Program	250,000
Scotland County School District, Laurinburg, North Carolina, to implement a HOSTS Reading Centered School Program	70,000
Scranton Cultural Center, Scranton, PA, for educational programs	200,000
Seattle Public Schools in partnership with Community Training and Assistance Center to provide technical assistance in educating and involving parents in school improvement	200,000
Seneca Highlands AVTS, Port Allegany, PA, for technology equipment	100,000
Settlement Music School, Philadelphia, PA, to support a community arts program for students in the City of Chester	100,000
Shawnee Gardens Tenants Association, Inc., Louisville, KY, for after school programs	35,000
Sioux City Community School District in Sioux City, IA, to continue and expand the implementation of testing software in Iowa	500,000
Smethport Area School District, Smethport, PA, for technology upgrades	100,000
Sobriety High, St. Paul, MN, for training, curriculum development and program management	400,000
Somerset Community College, Somerset, Kentucky, to develop an enhanced Next Generation Project to help teachers teach the importance of financial literacy among youth	400,000
South Carolina Educational Television, Columbia, SC, to continue the Bridges Demonstration Project to develop educational curriculum compatible with digital broadcasting	300,000
Southern Methodist University, Dallas, TX, for the Dallas Early Childhood Reading Initiative	500,000
Southwest Area Career Center, Monett, MO, for equipment	250,000
Springfield Regional Arts Council, Springfield, MO, for arts education	45,000
Spring-Ford Area School District, Collegeville, PA, to assess students and provide intervention services for students identified in need of academic improvement	75,000
St. Labre Native American Professional Development Center, Sheridan, WY, to expand a program to train teachers serving Native American students in an early literacy learning and math framework	500,000
Stage One: The Louisville Children's Theatre, Louisville, KY for education projects	50,000
Stark County Educational Service Center, Canton, OH for Leadership Skills for NCLB project	500,000
STARS Club Education Program, Jeffersonville, IN, for after school and Saturday programs	40,000
State of Alaska, Juneau, AK, for the Right Start extended-day kindergarten program	1,000,000
State of Mississippi, Department of Education, Jackson, MS, for the Mississippi Math Initiative to improve math scores of elementary and high school students	500,000
Summerbridge Louisville, Louisville, KY for summer tutoring	20,000
Sun Area Career and Technology Center, New Berlin, PA	100,000
Teach for America, New York, NY	2,000,000
Temple Community Development Corporation, Louisville, Kentucky for the Children Against Negativity (CAN) program	50,000
Terrebonne Parish School Board, Houma, Louisiana, for technology enhancements	100,000

The ART of Leadership Foundation, Birmingham, MI, for curriculum development and training	175,000
The Desert Research Institute, Las Vegas, NV, for an outdoor program used to teach K–12 students about the environment of the Mojave Desert	100,000
The Landmark School, Prides Crossing, MA, for a collaborative program with Advocacy Research designed to detect, track, and treat childhood dyslexia and other language-based learning disabilities	150,000
The Math Forum, Philadelphia, PA, in conjunction with Drexel University, to support student learning via an interactive Math website	100,000
The National Association of Music Education (MENC), Reston, VA, to develop and disseminate information on model music education programs	50,000
The National Civil War Museum, Harrisburg, PA, for the infrastructure technology components for student outreach and distance learning	100,000
Thelonious Monk Institute of Jazz, Washington, DC, for development of its National Jazz Curriculum and teacher training workshops	75,000
Think Together, Santa Ana, California, to assist low-income students with homework, tutoring, and mentoring	400,000
Tides Foundation, San Francisco, CA, for the McKelvey entrepreneurial college scholarships to rural, low income Pennsylvania high school graduates	300,000
To provide assistance to low-performing schools, of which $18,200,000 shall be for a grant to the Commonwealth of Pennsylvania Department of Education to provide assistance, through subgrants, to low-performing school districts that are slated for potential take-over and/or on the Education Empowerment List as prescribed by Pennsylvania State Law; and of which $1,800,000 shall be for a grant to Lock Haven University for the Philadelphia School District/Lock Haven Professional Development Partnership for professional development and related services. The Commonwealth initiative is intended to improve the management and operations of the school districts; assist with curriculum development; provide after-school, summer and weekend programs; offer teacher and principal professional development and promote the acquisition and effective use of instructional technology and equipment	20,000,000
Today Foundation, Dallas, TX, for the expansion of the Imagination Station literacy program to deliver reading curriculum over the internet using animation	50,000
Together! in Olympia, WA, to support after school programs for at-risk youth	50,000
Town of Cumberland, RI, to provide after school programming for latch key and at risk children	50,000
U.S. Dream Academy, Inc., Columbia, MD, to expand after school programs for at-risk children with a family history of incarceration	75,000
Unified School District #260, Derby, KS, to develop a central point for data warehousing in the district	250,000
United Neighborhood Centers of Milwaukee, Milwaukee, WI for early childhood education and after school and summer programs	240,000
United Sports Foundation, Downingtown, PA, for computers and program support for an after school program	50,000
United Way of Metropolitan Atlanta, Atlanta, GA, for the SPARK initiative and Get Ready to Read!	150,000
University of Alabama, Tuscaloosa, AL, in conjunction with the Zelpha Well's Cultural Education Center, for music education programs for economically disadvantaged children	75,000
University of Alaska at Fairbanks for Alaska System for Early Education Development (SEED) program to expand early childhood services and to train Early Head Start teachers with AAS degrees for positions in rural Alaska	1,500,000

University of Alaska Museum, Fairbanks, AK, for educational programs in support of the Summer Arts Festival	150,000
University of Alaska, Fairbanks, AK, in collaboration with the Alaska Department of Education, for the Alaska Center for Excellence in Schools at the University of Alaska to assist Alaska's low-performing schools	1,000,000
University of Arkansas, Fayetteville, Arkansas, for the National Office for Rural Measurement and Evaluation System to improve the instructional practices and learning possibilities of children from grades 3–8	225,000
University of Iowa Belin Blank Center for Gifted Education to continue the AP Online Academy	1,500,000
University of Iowa Belin-Blank Center, Iowa City, IA, for the Iowa Israel: Partners in Excellence program to enhance math and science opportunities for rural Iowa students	259,000
University of North Florida, Institute of Education, Jacksonville, Florida, for School Readiness HUBS Project	500,000
University of Northern Iowa to continue the 2+2 teacher education demonstration program	600,000
University of Southern Mississippi, Hattiesburg, MS, for the Frances A. Karnes Center for Gifted Studies to support summer gifted and leadership programs and research	125,000
University of West Georgia, Carrollton, Georgia, for technology upgrade, personnel and equipment for the Advanced Academy of Georgia	200,000
Urban League of Lancaster County Inc., Lancaster, PA, for Teen Elect	25,000
US Dream Academy, Columbia, MD, for expanding mentoring and educational services for children of prisoners and children falling behind in school	450,000
USD 373 Newton Public Schools, Newton, KS, to help incorporate technology professional development in the schools	250,000
Utah State Office of Education, Salt Lake City, UT, to improve qualifications for teachers who teach multiple subjects in rural areas	1,000,000
Utah State Office of Education, Salt Lake City, UT, to improve reading in rural schools	650,000
Valley Youth House, Allentown, PA, for after-school programming for K–12 students	50,000
Venango County AVTS, Oil City, PA, for technology equipment	100,000
Villa Maria Education Center, Villa Maria, PA, to provide after-school programs for at-risk girls	50,000
Virginia Biosciences Development Center, Richmond, VA, for the Innovative Model for Cognitive Learning program to develop a pilot project improving children's cognitive skills	150,000
Virginia Bio-Technology Research Park, Richmond, Virginia, for pilot program to increase students capacity and interest to learn by improving cognitive skills	250,000
Voyager Expanding Learning, Dallas, Texas, to implement a Voyager Universal Literacy System demonstration project in the 6th Congressional District of Texas	250,000
Voyager Expanded Learning, Dallas, Texas, to implement a Voyager Universal Literacy System for kindergarten and first grade children in the 7th Congressional District of Ohio	200,000
Voyager Expanded Learning, Dallas, Texas, to implement a Voyager Universal Literacy System in the 26th Congressional District of Texas	250,000
Voyager Expanded Learning, Dallas, TX, to implement the Voyager Universal Literacy System in public schools in the 18th Congressional District of Ohio	100,000
Walla Walla Public Schools in Walla Walla, WA for English as a second language curriculum	400,000
Walnut Street Theater, Philadelphia, PA, for its Educational and Outreach program for K–12 schools	50,000
War for Empire, Inc., Pittsburgh, PA, to develop new programming focused on media and teacher/student outreach and curriculum development	185,000

Washoe County School District, Reno, NV, to provide intensive English language instruction to students who are non-native speakers of English	200,000
Wayne Art Center, Wayne, PA, to provide teacher training and workshops for students	50,000
Weber School District, Ogden, UT, for the development of the Classroom Observation Robotic Interface (CORI), a professional development program for teachers	500,000
West Philadelphia YMCA, Philadelphia, PA, for educational and recreational programming to serve at-risk youth	200,000
WestEd Eisenhower Regional Consortium for Science and Mathematics, San Francisco, California, to demonstrate and provide independent evaluation and review of the 24 Challenge and Jumping Levels Math Programs	150,000
WestEd Eisenhower Regional Consortium for Science and Mathematics, Tucson, AZ, to implement the 24 Challenge and Jumping Levels program in Pennsylvania	50,000
Western Reserve Historical Society, Cleveland, OH, for education programs	200,000
Westmoreland Conservation District, Greensburg, PA, for education programs	100,000
Wildlands Conservancy of Eastern Pennsylvania, Emmaus, PA, for the expansion of hands-on environmental science learning programs	25,000
Wilderness Center, Wilmot, OH, for educational programs	32,000
William Penn School District, Lansdowne, PA, to provide professional development to K–12 teachers and to deliver educational curriculum to students, as well as assess progress, using computer-based software and hardware	100,000
Wisconsin Cooperative Educational Service Agency #3, Fennimore, WI, for alternative education programs at Learning Academies	150,000
WITF Inc., Harrisburg, PA, to develop an educational curriculum for the on-line Teach PA History initiative	50,000
Wolf Trap Foundation for the Performing Arts, Vienna, VA, for developing performing arts and education programs	200,000
Working in the Schools in Chicago to expand tutoring and mentoring programs in the Chicago Public Schools	225,000
WQED Multimedia Pittsburgh, Pittsburgh, PA, to develop a music-based, animated television program and curriculum to assist students	100,000
WQLN Educational Services, Erie, PA, to expand the F.A.M.I.L.I.E.S. Turn onto Literacy program	25,000
Yavapai County School District, AZ, for teacher quality improvements	500,000
Yazoo City Schools, Yazoo City, MS, for curriculum and library resource improvement	25,000
Yazoo County Schools, Yazoo City, MS, for curriculum and library resource improvement	25,000
YMCA of Anchorage, AK, for after school activities for at-risk teens	250,000
YMCA of Boulder Valley, Boulder, CO, for the Breakthrough Arts Program	22,500
YMCA of Easton, Easton, PA, for after-school programming for K–12 students	50,000
YMCA of Harrisburg, Harrisburg, PA, to provide mentoring services for minority youth	50,000
YMCA of McKeesport, McKeesport, PA, to support the Teen LEAD program serving at-risk, inner city teens	50,000
YMCA of Metropolitan Denver, Denver, CO, to develop a strong teens agenda	37,500
YMCA of Pennsylvania, Harrisburg, PA, for its Youth in Government program	50,000
YMCA of Pittsburgh, Pittsburgh, PA, to offer introductory computer classes to students as part of an after school initiative	50,000
YMCA of Pueblo, Pueblo, CO, for support of a youth leadership program	15,000
YMCA of the Pikes Peak Region, Colorado Springs, CO, to strengthen academic achievement and character development	30,000

YMCA of the Rockies, Estes Park, CO, for a leadership training program	15,000
Youth Alive, Inc., Louisville, KY, for after school programs	50,000
Youth Development Center, Inc., Winchester, VA, for program development for at-risk and gang prevention after school programs	350,000
Yukon Flats School District, Fort Yukon, AK, for development and application of a vocational education program	250,000
YWCA of Anchorage, AK, for after school enrichment programs serving at-risk Anchorage schoolchildren and their mothers	250,000
Zachary Community School Board, Zachary, LA, for technology enhancements	50,000

Other programs

The conference agreement includes $23,000,000 for the Ready to Learn program instead of $22,000,000 as proposed by the House and $24,000,000 as proposed by the Senate.

The conference agreement includes $5,000,000 for dropout prevention programs as proposed by the Senate. The House did not propose funding for this program. The conference agreement includes $1,490,000 for the Close Up program as proposed by the House. The Senate bill did not propose funding for this program.

The conference agreement includes $23,674,000 for advanced placement fees instead of $23,347,000 as proposed by the House and $24,000,000 as proposed by the Senate.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

The conference agreement includes $862,813,000 for programs in safe schools and citizenship education account, instead of $825,068,000 as proposed by the House and $818,547,000 as proposed by the Senate.

The conference agreement includes $445,483,000 for State grants instead of $468,949,000 as proposed by the House and $422,017,000 as proposed by the Senate.

The agreement also includes $154,680,000 for national programs instead of $160,180,000 as proposed by the House and $155,180,000 as proposed by the Senate. The conference agreement includes funding for the following activities:

School Safety Initiatives	$30,000,000
Planning/Needs Assessment/Data for State Grants	6,000,000
Safe Schools/Healthy Students	95,000,000
Drug Testing Initiative	2,000,000
Postsecondary Ed Drug and Violence Prevention	5,000,000
Impact Evaluation	2,000,000
Information and materials	1,420,000
Data collection and analysis	2,000,000
Other joint projects with Federal agencies	1,000,000
Other program improvement activities	1,000,000
National Recognition Program	850,000
National Clearinghouse for Educational Facilities	300,000
National Coordinator Initiative	8,110,000

The conferees also understand that a minimum of $9,000,000 remains available under the Project SERV program to provide for education-related services to school districts in which the learning environment has been disrupted due to a violent or traumatic crisis.

The conferees direct the Department to implement the Act consistent with their intent, as reflected in the table above, and request an implementation plan to be submitted to the House and

Senate Committees on Appropriations within 30 days of enactment of the Department of Education Appropriations Act, 2004. To the extent that the Department wishes to reprogram funds in order to address other activities or alter the allocation of funds for activities listed in the chart above, the conferees expect the Department to follow the guidance provided in this statement of the managers.

The conference agreement includes $300,000 for the continued operation of the National Clearinghouse for Educational Facilities, the Nation's sole source for comprehensive information about school planning, design, financing, construction and maintenance. These funds will be used to address issues related to school safety and healthy school buildings, as described in the administration's budget request. The conference agreement also includes $700,000 for the Clearinghouse through the Fund for the Improvement of Education.

The conference agreement includes bill language requiring the Department to spend $850,000 for the National Recognition Awards program under the guidelines described in section 120(f) of Public Law 105–244.

The conference agreement includes $30,000,000 for grants to reduce alcohol abuse as proposed by the Senate. The House did not propose separate funding for this.

The conference agreement includes $50,000,000 for mentoring programs as proposed by the House instead of $28,700,000 as proposed by the Senate. The conference agreement includes $34,000,000 for elementary and secondary school counseling as proposed by the Senate instead of $32,289,000 as proposed by the House.

The conference agreement includes $70,000,000 for physical education programs as proposed by the Senate instead of $60,000,000 as proposed by the House. The funds should be used for the purpose identified in the No Child Left Behind Act, which states: "The purpose of this subpart is to award grants and contracts to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students." The conferees are aware that this Act also requires the Secretary to report to Congress describing the programs funded under this subpart, documenting the success of such programs in improving physical fitness, and making recommendations for the continuation and improvement of such programs. The conferees would like this data to inform the fiscal year 2005 budget process and therefore direct the Secretary to provide this report to Congress no later than May 3, 2004.

The conference agreement includes $28,812,000 for the Civic Education program to support both the We the People programs and the Cooperative Education Exchange, as proposed by the House and Senate bills. The conferees intend that $16,890,000 will be provided to the nonprofit Center for Civic Education to support the We the People programs. Within the total for the We the People program, the conferees intend that $2,980,000 be reserved to continue the comprehensive program to improve public knowledge, understanding, and support of American democratic institutions which is a cooperative project among the Center for Civic Education, the Center on Congress at Indiana University, and the

Trust for Representative Democracy at the National Conference of State Legislatures, and that $1,490,000 be used for continuation of the school violence prevention demonstration program, including $500,000 for the Native American initiative.

The conference agreement also includes $11,922,000 for the Cooperative Education Exchange program. Within this amount, the conferees intend that $4,470,750 is for the Center for Civic Education and $4,470,750 for the National Council on Economic Education, while the remaining $2,980,500 should be used to continue the existing grants funded under the authorizing statute for civics and government education, and for economic education.

The agreement also includes $25,000,000 for State Grants for Incarcerated Youth as proposed by the Senate. The House did not provide funding for this activity.

ENGLISH LANGUAGE ACQUISITION

The conference agreement includes $685,258,000 for English Language Acquisition programs instead of $685,515,000 as proposed by the House and $669,000,000 as proposed by the Senate. The conference agreement includes language allowing the Secretary to transfer funding not needed to continue discretionary activities under antecedent programs to the formula program line. The conference agreement includes bill language which allows the Secretary to calculate fiscal year 2004 State allotments using Census data utilized in making fiscal year 2003 State allotments and the most recent data reported by States for the number of immigrant children and youth. It is the intent of the conferees that data from the previous year only be used for determining allocations for fiscal year 2004 and that data from the American Community Survey will be available for determining the fiscal year 2005 and subsequent years, allocations, as required by the No Child Left Behind Act.

The No Child Left Behind Act (NCLB) calls for school districts to significantly accelerate English learners' progress towards achieving the Act's goals that 100 percent of all students reach proficient status or higher by 2013–2014. The conferees are concerned that for areas such as those in California, where the concentration of English language learners is high, this will be a challenge. The conferees are also aware that a number of regional educational offices have collaborated in an effort to ensure that the goals and requirements of the No Child Left Behind Act's English proficiency provisions will be met. The conferees strongly encourage the Department to provide support for regional educational initiatives that accelerate the academic progress of English language learners and recognize that local educational agencies with heavy concentrations of English learners are particularly challenged in meeting these requirements, with agencies in some cases having to double their instructional efforts to close the academic gap.

SPECIAL EDUCATION

The conference agreement includes $11,307,072,000 for Special Education instead of $11,049,790,000 as proposed by the House and $12,227,464,000 as proposed by the Senate. The agreement

provides $5,894,072,000 in fiscal year 2004 and $5,413,000,000 in fiscal year 2005 funding for this account.

Included in these funds is $10,129,398,000 for Grants to States part B instead of $9,874,398,000 as proposed by the House and $11,058,533,000 as proposed by the Senate. The conferees are concerned that the participation of students with disabilities in vocational educational programs has led to confusion regarding who is responsible for providing services and who is responsible for paying for these services. The conferees want to remind States and school districts that they have an obligation to ensure that the services outlined in a child's individualized education plan are provided in a timely manner, regardless of where the services are provided.

The conference agreement includes $51,364,000 for State Program Improvement as proposed by the House instead of $44,000,000 as proposed by the Senate.

The conference agreement includes $78,589,000 for research and innovation instead of $77,210,000 as proposed by both the House and the Senate. Within the amounts provided for Special Education Research and Innovation, the conference agreement includes funding for the following:

Best Buddies International, Inc. in Miami, FL, to enhance the lives of people with mental retardation by opportunities for one-to-one friendships and integrated employment	$1,000,000
Best Buddies Pennsylvania, Philadelphia, PA, for the expansion of mentoring programs for individuals with disabilities	25,000
Center for Development and Learning, Covington, LA, for literacy initiative	100,000
City of Rocklin, Rocklin, CA, for expansion of programs for learning disabled and physically disabled preschool children	150,000
Daeman College, Amherst, NY, for a special after school enrichment program for students with learning disabilities	630,000
Eagle Mount, Billings, MT, for Ensuring Success for Youth with Disabilities program	59,000
Florida School for Deaf and Blind, St. Augustine, FL, for the Virtual Reality Based Education and Training Program	100,000
Hill Top Preparatory School, Rosemont, PA, for the use of ReadSpeak Action Caption technology as a literacy tool for students with learning disabilities	50,000
Hoffman Homes for Youth, Gettysburg, PA, for a Therapeutic Horsemanship Center	175,000
International Center on Deafness and the Arts, Northbrook, IL, for a teacher extension training program	100,000
Learning Disabilities Association of America, Pittsburgh, PA, to expand parent and teacher training programs and to increase resources available regarding learning disabilities	25,000
Leg Up Farm, York, PA, to provide comprehensive therapy and rehabilitation for children	175,000
Lehigh University, Bethlehem, PA, for research to improve the lives of disabled individuals at the Center for Promoting Healthy Development for Individuals with Disabilities	100,000
McComb School District, MS, for an Early Childhood Coalition Project	150,000
Ohio School for the Deaf, Columbus, OH, to install and support a virtual reality based education and training for the deaf program	500,000
Spokane School District, WA, for educational technology to serve deaf and hard of hearing students	200,000
Spurwink Institute, Portland, ME, for the Center for Learning and Technology to provide assistive technology for students with learning disabilities	250,000
The Wisconsin Council on Developmental Disabilities, Madison, WI, for a pilot project to help teens with disabilities plan for the transition out of the educational system to adult life	275,000

U.S. Disabled Athletes Fund, Atlanta, GA, for Blaze Sports Clubs in Georgia	75,000
University of Kentucky, Lexington, KY, Center for Instructional Technology and Learning to help special education teachers integrate technology into curriculum	1,000,000
University of Northern Colorado National Center on Low-Incidence Disabilities, Greeley, CO, for support to local schools, educational professionals, families of infants, children, and youth with low-incidence disabilities	525,000
University of Northern Iowa, Cedar Falls, IA, for WeBCATT: The National Institute of Technology for Inclusive Education project	350,000
University of Southern Mississippi, Hattiesburg, MS, for the Center for Literacy and Assessment	650,000
Wheelchair Foundation, Danville, CA, to train teachers on how to integrate children with physical disabilities into the classroom	50,000
Winchester Parks and Recreation Department, Winchester, VA, for playground equipment to assist disabled children	90,000
Workplace Technology Foundation, King of Prussia, PA, to provide training to special education students to increase employability upon graduation	75,000

The conference agreement includes $53,133,000 for technical assistance as proposed by the Senate instead of $53,481,000 as proposed by the House. The agreement also includes $39,361,000 for technology and media services as proposed by the Senate instead of $38,110,000 as proposed by the House. The agreement includes $11,400,000 for Recordings for the Blind and Dyslexic.

The agreement also includes $1,500,000 for Public Telecommunications Information and Training Dissemination as proposed by the Senate. The House did not contain funds for this activity.

REHABILITATION SERVICES AND DISABILITY RESEARCH

The conference agreement includes $3,013,305,000 for Rehabilitation Services and Disability Research instead of $2,999,165,000 as proposed by the House and $3,004,360,000 as proposed by the Senate.

The conferees are disturbed by the Department's actions with respect to funds appropriated in last year's bill, which were to be used to improve the quality of applied orthotic and prosthetic research. The conferees understand that the Department made a decision to allow these funds to lapse, instead of obligating them for the specific purpose for which Congress intended them to be used. The Department's actions violated the clear, statutory intent of the Congress. The conferees note that these actions follow the Department's decision to ignore language in the Statement of the Managers accompanying the fiscal year 2002 appropriations bill which provided $1,000,000 for this same purpose. The conference agreement again includes $1,000,000 to continue the orthotic and prosthetic initiative that the Congress established in fiscal year 2002. The conferees intend that $1,000,000 included in the conference agreement shall be awarded to the American Academy of Orthotists and Prosthetists (AAOP) for activities that further the purposes of the grant received by the Academy for the period beginning October 1, 2003. These funds are in addition to the original $993,500 grant received by the AAOP on October 1, 2003.

The agreement also includes $23,930,000 for demonstration and training programs instead of $20,895,000 as proposed by both

the House and the Senate. Within the amounts provided for vocational rehabilitation demonstration and training programs, the conference agreement includes funding for the following activities:

Alaska Center for Independent Living, Anchorage, AK, for a Personal Assistance Services project to bring services to more remote rural communities	$200,000
Association of Retarded Citizens (ARC) of Madison County, AL, Lowe Mental Retardation Day Program Facility for equipment and program support	100,000
Cerebral Palsy Research Foundation of Kansas, Wichita, KS, to continue helping people with disabilities obtain self-sufficient employment	350,000
City of Henderson, NV, for Inclusion Recreation Program	500,000
Crawford County Life Enrichment Achievement Progress (LEAP), Inc., Crawford, PA, to create a workshop open to the community that would demonstrate what life is like for those with disabilities	10,000
Enable America, Inc., Tampa, FL, for civic/citizenship demonstration project for disabled adults	1,000,000
Lakeshore Foundation, Birmingham, AL, to develop a fitness and health promotion program for the disabled	200,000
National Federation for the Blind, Baltimore, MD, for text recognition machines	150,000
National Industries for the Blind, Alexandria, VA, to develop a business leadership and management skills training program for individuals who are blind	250,000
National Organization on Disability, Washington, DC, for the emergency preparedness initiative	1,000,000
National University, La Jolla, CA, for the Institute for Persons Who Are Hard of Hearing or Deaf	625,000
Opportunity Village Association for Retarded Citizens, Las Vegas, NV, to create the second phase of a school-to-work program for students with severe disabilities	200,000
Southeast Alaska Independent Living (SAIL), Juneau, AK, for a joint recreation and employment project with the Tlingit and Haida Tribe of Alaska	200,000
Special Olympics of Iowa for technology upgrades	100,000
Wisconsin Coalition for Independent Living Centers, Madison, WI, to expand assistive technology services to people with disabilities seeking employment	150,000

The conference agreement includes $22,151,000 for Independent Living State Grants as proposed by the Senate instead of $22,296,000 as proposed by the House. The agreement also includes $74,000,000 for Independent Living Centers instead of $75,000,000 as proposed by the House and $69,545,000 as proposed by the Senate. The agreement also includes $32,000,000 for services for older blind individuals as proposed by the House instead of $27,818,000 as proposed by the Senate.

The conference agreement includes $107,285,000 for the National Institute on Disability and Rehabilitation Research instead of $110,000,000 as proposed by the House and $109,285,000 as proposed by the Senate.

The conference agreement includes $26,097,000 for assistive technology instead of $11,132,000 as proposed by the House and $26,824,000 as proposed by the Senate. The agreement also includes language allowing States which have received assistive technology extension grants in the past and are scheduled to be phased out of the program to continue to receive an award in fiscal year 2004 at the fiscal year 2003 level. This language is provided to allow time for the authorizing committees of jurisdiction to review

the program in the context of reauthorizing the Assistive Technology Act. The conferees are aware that this program was originally designed to be "seed money" to develop assistive technology activities at the State level. The authorizing statute specifies that the State grant portion of the program would sunset after ten years, giving States time to develop their own programs in this area. The conferees note that more than $36,000,000 was awarded for grants under title III of the Assistive Technology Act, which will support authorized activities through at least fiscal year 2004 for all grantees. This conference agreement does not include additional funds for such activities, but the conferees intend to examine the performance outcomes achieved under this program and evaluate additional funding needed to continue authorized activities in the fiscal year 2005 budget process. The conferees support the goal of this program, which is to maximize the independence and participation in society by individuals with disabilities through the establishment or expansion of programs that fund alternatives to the traditional payment options of public assistance and self-financing so that individuals with disabilities can acquire assistive technology devices and services.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

The conference agreement does not include language proposed by the Senate regarding acquisition of equipment. The House bill contained no similar language.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

The conference agreement includes $53,800,000 for the National Technical Institute for the Deaf as proposed by the Senate instead of $53,867,000 as proposed by the House.

GALLAUDET UNIVERSITY

The conference agreement includes $100,800,000 for Gallaudet University as proposed by the Senate instead of $100,600,000 as proposed by the House.

VOCATIONAL AND ADULT EDUCATION

The conference agreement includes $2,121,690,000 for Vocational and Adult Education instead of $2,101,430,000 as proposed by the House and $2,101,490,000 as proposed by the Senate. The agreement provides $1,330,690,000 in fiscal year 2004 and $791,000,000 in fiscal year 2005 funding for this account.

The conference agreement includes $1,202,100,000 for Vocational Education basic State grants instead of $1,200,000,000 as proposed by the House and $1,192,200,000 as proposed by the Senate.

The conference agreement includes $7,228,000 for Tribally Controlled Postsecondary Vocational Institutions instead of $7,500,000 as proposed by the Senate and $6,955,000 as proposed by the House. The agreement also includes language proposed by the Senate notwithstanding any other provision of law or any regu-

lation that the Secretary of Education shall not require the use of a restricted indirect cost rate for grants issued pursuant to the tribally controlled postsecondary vocational and technical institutions program. The House did not contain this provision.

The conference agreement includes $4,968,000 for the tech-prep education demonstration authorized under section 207 of the Perkins Act as proposed by the Senate. The agreement also includes $9,438,000 to continue the occupational and employment information program as proposed by the Senate. The House did not include funding for these activities.

The conference agreement includes $577,781,000 for adult education State grants instead of $584,300,000 as proposed by the House and $571,262,000 as proposed by the Senate. The agreement also includes $9,223,000 for adult education national leadership activities and $6,732,000 for the National Institute for Literacy as proposed by the Senate. The House proposed funding for these activities at $9,438,000 and $6,517,000, respectively.

The conference agreement also includes $175,000,000 for the smaller learning communities program as proposed by the House instead of $160,947,000 as proposed by the Senate. As in past years, the conference agreement provides the funds on a forward funding basis and specifies that these funds shall be used only for activities related to the redesign of large high schools enrolling 1,000 or more students.

The conference agreement includes $10,000,000 for community technology centers instead of $20,000,000 as proposed by the Senate. The House did not propose funding for this activity.

STUDENT FINANCIAL ASSISTANCE

The conference agreement includes $14,090,430,000 for Student Financial Assistance instead of $14,247,432,000 as proposed by the House and $14,174,115,000 as proposed by the Senate.

The agreement provides a program level of $12,077,998,000 for Pell Grants instead of $12,250,000,000 as proposed by the House and $12,176,683,000 as proposed by the Senate.

The conferees continue to be concerned about issues within the consolidation loan program. The conferees are aware that some borrowers would like to see the current law changed to allow for consolidation with any lender or holder, regardless of how many lenders with whom the borrower has loans. The conferees are concerned that without change to the current law governing consolidation loans, some borrowers may not be permitted to consolidate their loans with any lender they choose. The leaders of the authorizing committees have expressed a desire to address this and other issues during the reauthorization of the Higher Education Act so as to address the Consolidation Loan Program as a whole. The conferees strongly urge those committees to take action quickly to ensure borrowers have the best options available to them in order to manage their student loan obligations.

The conferees are aware that section 428H(d)(2) of the Higher Education Act permits the Secretary to increase unsubsidized loan limits, beyond those limits expressly contained in the Act, in cases where he determines that a higher amount is warranted in order to carry out the purpose of the Federal Family Education Loan Pro-

gram (FFELP) with respect to students engaged in specialized training requiring exceptionally high costs of education. The conferees are also aware that in exercising this discretion, the Secretary has provided increased loan limits for students in numerous graduate and professional medical programs but has not done so for the comparable program of doctor of naturopathic medicine (ND). The conferees direct the Secretary to examine the borrowing needs of graduate naturopathic medical students to determine whether they should be given additional borrowing opportunities under the FFELP.

STUDENT AID ADMINISTRATION

The conference agreement includes $118,010,000 for student aid administration instead of $120,010,000 as proposed by the House and $104,703,000 as proposed by the Senate.

HIGHER EDUCATION

The conference agreement includes $2,094,511,000 for Higher Education instead of $1,974,036,000 as proposed by the House and $1,969,982,000 as proposed by the Senate.

Aid for Institutional Development

The conference agreement includes $94,551,000 for Hispanic Serving Institutions as proposed by the Senate instead of $93,551,000 as proposed by the House. The conference agreement also includes $11,000,000 for Alaska and Native Hawaiian Institutions as proposed by the Senate instead of $8,180,000 as proposed by the House.

The conference agreement includes $23,425,000 for strengthening tribal colleges and universities, instead of $22,850,000 as proposed by the House and $24,000,000 as proposed by the Senate. The conferees agree that the funds provided are to be used to support continuation of existing basic grants and new planning or implementation grant awards. The remaining funds shall be available for grants for renovation and construction of facilities to help address urgently needed facilities repair and expansion.

International Education and Foreign Language Studies

The conference agreement includes $89,740,000 for the domestic activities of the international education and foreign languages studies programs instead of $93,240,000 as proposed by the House and $86,240,000 as proposed by the Senate.

Fund for the Improvement of Postsecondary Education

The conference agreement includes $155,311,000 for the Fund for the Improvement of Postsecondary Education instead of $34,138,000 as proposed by the House and $32,201,000 as proposed by the Senate. Within the amounts provided for the Fund for the Improvement of Postsecondary Education, the conference agreement includes funding for the following:

AIB College of Business, Des Moines, IA, to continue a program of recruiting and training students in captioning and court reporting	$400,000

Alabama College System Microelectronics Consortium, Andalusia, AL, for the advanced electronics technology project, including the acquisition of technology and equipment	250,000
Alaska Christian College, Soldotna, AK, for scholarships, recruitment, literacy programs and salaries to support Native student learning	400,000
Alaska Pacific University, Anchorage, AK, to support training of Alaska Natives as teachers through the Rural Alaska Native Adult Program	300,000
Allegheny College, Meadville, PA, for civic education activities	25,000
Alverno College in Milwaukee, Wisconsin for the development of a collaborative abilities-based Master's program in Nursing Education	160,000
American Academy of Liberal Education, Washington, DC, to develop a national model for the study of American democracy at colleges and universities	100,000
Appalachian State University, Boone, North Carolina, for the Appalachian State College Awareness Program	75,000
Arkansas Tech University, Russellville, Arkansas, for an Emergency Administration and Management Degree Program	500,000
Ashland University, Ashland, OH for lab equipment	500,000
Association of Jesuit Colleges and Universities to establish the Center for On-Line Bioethics Education	250,000
Ball State University, Muncie, IN, for support of the Digital Middletown Project, including the acquisition of technology	600,000
Bennett College, Greensboro, NC, for professional development activities for teachers supported through the Curriculum Instructional Materials Center	1,000,000
Bevill State Community College, Sumiton, Alabama, for technology upgrade and equipment	300,000
Brescia University, Owensboro, KY, for technology and teacher training	400,000
Brevard Community College, Cocoa, FL, for instructional equipment to support a Distributed Learning Center	300,000
Bryant College of Smithfield, RI, for program development, including acquisition of equipment and technology, and services related to the Community Communication and Education Center	200,000
Buffalo State College, Buffalo, New York, for expansion of the Center for Excellence in Urban and Rural Education	100,000
Bushnell Center for the Performing Arts in Connecticut for the PARTNERS Program	50,000
Cabrini College, Radnor, PA, for equipment and educational programming for the Center for Science, Education and Technology	200,000
California Institute of Arts, Valencia, California, for an integrated media program	200,000
California State Polytechnic University, Pomona, CA, for a Digital Media Program	750,000
California State University, San Marcos, California, for nursing programs to meet the needs of state and county in healthcare	350,000
California State University, Stanislaus, Turlock, CA, for Allied Health Care Professional Initiative	167,000
Campbellsville University, Campbellsville, KY, for an Associate Degree in Nursing program	300,000
Catawba Valley Community College, Hickory, North Carolina, for the Higher Education Center Project	250,000
Centenary College, Hackettstown, New Jersey, to expand IT infrastructure	200,000
Central Florida Community College, Ocala, FL	496,000
Chamber Foundation, Greater Columbus Chamber of Commerce, Columbus, OH, for the College Access and Work-based Connection program	350,000
Chattanooga State Technical Community College, Chattanooga, TN, for Tennessee Valley Workforce Aging Management Program initiative	500,000
Cheyney University, Cheyney, PA, to develop educational programming for the Center for Teacher Preparation	100,000

City of Lancaster, Lancaster, CA, for equipment for the Lancaster University Center	400,000
City of Moultrie, GA, for technology upgrades in support of distance learning projects undertaken by Moultrie Technical College	25,000
City University, Bellevue, Washington, for technology infrastructure	300,000
Clark State Community College, Springfield, Ohio, to implement a degree program for teachers' aides in Title I classrooms	100,000
Clatsop Community College, Astoria, OR, for acquisition of computers and technology equipment	50,000
Cleveland Institute of Art, Cleveland, OH for technology	300,000
Cleveland State University, Cleveland, OH for a transition from laboratory to the classroom project	300,000
Cleveland State University, Cleveland, OH for scholarships, equipment and curriculum development in transportation safety	250,000
Cleveland State University, Cleveland, OH to continue the collaboration between Cleveland State and the University of Rijeka in Croatia for the Unger Croatia Center for Local Government Leadship	100,000
Clinton School of Public Service at the University of Arkansas for curriculum development	1,000,000
College of Charleston Science Center, Charleston, South Carolina, for equipment and for the Center for Teacher Leadership	100,000
College of New Jersey, Ewing, NJ for forensic science program	225,000
College of Southern Idaho, Twin Falls, ID, to continue implementing and enhancing distance learning programs	300,000
College of Wooster, Wooster, OH for information and instructional technology upgrade	975,000
Columbia College, Chicago, IL for student scholarships in the College of Film and Video	250,000
Columbia Gorge Community College, The Dalles, OR, for a nurse training program	500,000
Community College of Allegheny County, Pittsburgh, PA, for equipment and educational programs to train court reporters	200,000
Community College of Beaver County, Beaver Falls, PA, for educational programs, including the acquisition of technology	100,000
Community College of Southern Nevada, Las Vegas, NV, for engineering and media technologies programs	350,000
Concurrent Technologies Corporation, Largo, Florida, for Community College/Vocational Industry Cluster HUBS initiative	1,000,000
Crowder College, Neosho, MO, for equipment	250,000
Cumberland College, Williamsburg, Kentucky, for technology and equipment	600,000
Daniel Webster College, Nashua, NH, to acquire technology and equipment	1,000,000
Darton College, Albany, GA, for the rural technology network	200,000
Daytona Beach Community College, Daytona Beach, Florida, for instructional equipment and technology infrastructure for the Advanced Technology Center	100,000
Defiance College, Defiance, Ohio, for Information Technology Initiative	350,000
Delaware County Industrial Development Authority, Media, PA, for faculty and students of academic institutions to collaborate with industry on research and development as part of their engineering programs	100,000
Delta State University, Cleveland, MS, for the Delta Education Initiative	1,000,000
DeSales University, Center Valley, PA, for computer wiring and technology upgrades related to training K–12 teachers and students	100,000
Duquesne University, Pittsburgh, PA, for program support at the supercomputing center, with a focus on biotechnology, nanotechnology and environmental sciences	100,000
East Stroudsburg University, East Stroudsburg, PA, for technological infrastructure related to the Center for Research and Economic Development	200,000

Eckerd College, St. Petersburg, Florida, to upgrade educational computing and technology	1,000,000
Edinboro University of Pennsylvania, Edinboro, PA, to develop curriculum and education programs for the Precision Manufacturing Institute	100,000
Educational Resources Group, Pennsylvania State System of Higher Education, Harrisburg, PA, for online education programs	100,000
Eisenhower Fellowships, Philadelphia, PA, for the Philadelphia International Leadership, which may include support of access to foreign educational and internship programs	100,000
Embry-Riddle Aeronautical University, Prescott, AZ for archive of aviation materials	1,000,000
Emerson College in Boston for the Tufte Performance and Production Center Initiative	500,000
Emmanuel College, Boston, MA, for the procurement of educational and clinical research equipment	475,000
Empire State College, Saratoga Springs, NY for an emergency management degree program	100,000
Fayetteville Technical Community College, Fayetteville, North Carolina, for technology-training program for teachers	250,000
Fisk University, Nashville, TN, for the Technology Infrastructure Initiative, which may include the acquisition of technology	250,000
Fort Lewis College, Durango, CO, for curriculum materials and acquisition of computers in support of the Southwest Studies Institute	50,000
Fort Lewis College, Durango, CO, for technology upgrades and equipment	50,000
Frank Phillips College, Borger, TX, for education technology	250,000
Gadsden State Community College, Gadsden, AL, for curriculum development for the Alabama Institute for Nursing Education and Emergency Preparedness	400,000
Gadsden State Community College, Gadsden, Alabama, for technology infrastructure development for the Emergency Medical Services (EMS)	250,000
George Meany Center for Labor Studies—the National Labor College for curriculum development	900,000
Georgia College and State University, Milledgeville, GA, for the Paul Coverdell Institute and Archives	100,000
Glendale Community College for K–12 Science Teacher Training at the Cimmarusti Science Center	100,000
Gonzaga University, Spokane, WA, for the inland northwest natural resources research center	350,000
Govergence, Inc., Ponca City, OK, for curriculum development, computers and salary	50,000
Harcum College, Bryn Mawr, PA, for laboratory and clinic equipment	500,000
Harrisburg University of Science and Technology, Harrisburg, PA, for laboratory equipment and technology and math and science curriculum development	100,000
Hepatitis B Foundation, Doylestown, PA, for education programs to prepare post-secondary students for careers in biomedical research, public health and biotechnology	200,000
Hilbert College, Hamburg, NY, for curriculum development, equipment and training	250,000
Hillsborough Community College, Plant City Campus, Florida, for veterinarian technician training program	250,000
Hinds Community College, Raymond, MS, for a pilot program to provide English as a Second Language to adults	200,000
Hiram College, Hiram, OH, for a comprehensive environmental education center	500,000
Hobart and Williams Smith Colleges, Geneva, New York, for equipment	250,000
Holy Family University, Philadelphia, PA, for teacher training and teacher certification programs	50,000
Holyoke Community College, Holyoke, MA, for Business and Technology Center educational equipment and programs	350,000

Hood River Integrated Technology Center, Hood River, OR, for an integrated technology center	50,000
Housatonic Community College, Bridgeport, Connecticut, for the urban multicultural access and success program	150,000
Houston Community College System, Houston, Texas, for the Accelerated Nursing Proficiency Center	50,000
Husson College, Bangor, ME, for support of the Occupational Therapy Program	50,000
Hutchinson Community College, Hutchinson, Kansas, for equipment and technology acquisition	250,000
Idaho State University, Pocatello, Idaho, for a Masters degree program in Dental Hygiene	400,000
Illinois State University, Normal, IL, to support curriculum development, mentoring and recruitment programs to bring registered nurses into long term care	300,000
Indiana University of Pennsylvania, Indiana, PA, for the Computing Services Center to train K–12 teachers and for the National Institute for Corrections Education to provide professional development for corrections education teachers	50,000
Indiana University-Purdue University, Ft. Wayne, Indiana, for collaboration with WFWA PBS–39	150,000
Institute of Gerontology/Ruby Gerontology Center, California State University, Fullerton, Fullerton, CA, to upgrade the technological infrastructure and distance education capabilities	500,000
Iowa Central Community College, Fort Dodge, IA, for the ICN distance learning pilot program	250,000
Iowa Hospital Education and Research Foundation for a scholarship program	50,000
Iowa Student Aid Commission to continue a program of loan forgiveness for teachers	500,000
Jackson State University, Jackson, MS, for the Project Urban Mississippi, Teachers, Technology, Research and Reading project	300,000
James A. Rhodes State College, Lima, Ohio, for technology and equipment	250,000
Jamestown Community College, Jamestown, NY, for access for rural students	50,000
Johnson and Wales University, Charlotte, North Carolina, for initial development, on site start-up and staff recruitment costs for the establishment of a new campus in downtown Charlotte	200,000
Kansas Technology Center, Pittsburg State University, Pittsburg, KS, for technology infrastructure improvements	500,000
Kennebec Valley Community College, Fairfield, ME, to develop a healthcare career training initiative designed to increase the number of skilled workers in the areas of Nursing and Radiology	300,000
Kent State University, Kent, OH, for GED Scholars project	500,000
Kent State University, Kent, OH, for Institute for Library and Informational Literacy Education project	750,000
Keystone College, LaPlume, PA, for instructional technology for the Education Curriculum Laboratory to strengthen early childhood education programming	100,000
Kishwaukee College, Malta, IL, for computer systems	250,000
Knoxville College, Knoxville, TN, for acquisition of equipment and computer upgrades in support of improved student learning	200,000
La Salle University, Philadelphia, PA, for program and tuition support that will advance math and science instruction for teachers	250,000
La Sierra University, Riverside, CA, for the purchase of scientific educational equipment	133,000
Lander University, Greenwood, South Carolina, for a Montessori project	250,000
Langston University, Langston, OK for a Thurgood Marshall Scholarship endowment	100,000
Le-Moyne Owen College, Memphis, TN, to enhance and improve a computer network infrastructure	200,000
Lewis-Clark State College, Lewiston, ID, to establish an American Indian Students in the Leadership of Education (AISLE) Program	450,000

Lincoln University, Lincoln University, PA, for campus-wide technology upgrades and wiring	100,000
Long Island University for literacy education in Westbury, New York	500,000
Lorain County Community College, Elyria, OH, for course development, instructional and operational technology support, technological upgrades, and distance learning capacity	500,000
Louisiana State University Center, Baton Rouge, LA, for a Latin American Commercial Law Program and a Biotechnology and Medicine project	550,000
Lourdes College, Sylvania, OH, to improve science education	100,000
Luther College, Decorah, IA for lab equipment	300,000
Macon State University, Macon, GA, for educational programs in information technology	50,000
Maricopa County Community College District, Phoenix, AZ, for the National Center for Teacher Preparation and Education to address the national teacher shortage and for the Hispanic Bilingual Nursing Fellow program	300,000
Maryland Association of Community Colleges to improve instruction in Information Technology for nursing and allied health training programs	1,000,000
Mercer University, Macon GA for a critical personnel development program	200,000
Mercyhurst College, Erie, PA, for an intelligence-related academic program that will identify and propagate intelligence best practices and create generic intelligence education courses	300,000
Mesa State College, Grand Junction, Colorado, for the Western Colorado Rural Teacher Initiative	150,000
Miami University, Oxford, Ohio, for technology upgrades and equipment for the McGuffey School of Education	650,000
Michigan Jewish Institute, Oak Park, MI for cooperative computing program	500,000
Michigan Virtual University/Michigan Virtual High School, Lansing Michigan, continued development of the virtual Mathematics, Science and Technology Academy	100,000
Midstate College in Peoria, Illinois, for captioning training program	75,000
Millersville University, Millersville, PA, for curriculum development for environmental education, occupational safety and health education programs	100,000
Minnesota State University, College of Allied Health & Nursing, Mankato, MN, for development and implementation of a curriculum related to allied health professions	100,000
Mississippi University for Women, Columbus, MS, for the Center for Creative Learning	980,000
Mississippi Valley State University, Itta Bena, MS, for curriculum development	500,000
Missouri Southern State College, Joplin, Missouri, for computers and equipment for distance learning courses	321,000
Mitchell Technical Institute in Mitchell, South Dakota for technology center equipment	480,000
Montana State University-Billings College of Technology, Billings, MT, for health care degree and certificate training programs	441,000
Montana State University-Billings College of Technology, Billings, MT, to develop and initiate a power plant operator training degree program	750,000
Montgomery County Community College, Blue Bell, PA, for equipment and technology acquisition in support of the Advanced Center for Technology	75,000
Moravian College, Bethlehem, PA, for computer wiring and technology upgrades related to training K–12 teachers and students	100,000
Morehead State University, Institute for Regional Analysis and Public Policy, Morehead, Kentucky, for the development of a program, including student scholarships, to study the implementation and effects of homeland security policy at the state and local levels of government	500,000
Morgan County Ohio, McConnelsville, OH, for a feasibility study on community college services	100,000

Mote Marine Laboratory, Sarasota, Florida, for curriculum and technology enhancements	975,000
Mount Marty College in Yankton, South Dakota for forensic science lab equipment	150,000
Mount Union College, Alliance, OH for the Center for Public Service, including student scholarships	1,000,000
Mt. Hood Community College, Gresham, OR, for a nurse training program	50,000
Muhlenberg College, Allentown, PA, to develop a program for advanced discovery in the exploration of the physical and life sciences at the secondary and post-secondary grade levels	100,000
National Articulation and Transfer Network, San Francisco, CA to facilitate the enrollment and completion of postsecondary education by minority students	100,000
National Association for Equal Opportunity in Higher Education, Silver Spring, MD, for an initiative to increase minority access to higher education and to assist historically black colleges and universities in the acquisition and use of technology	100,000
National Center on Rural Early Childhood Learning Initiatives, Mississippi State University to collect current research and lead new research in the unique learning problems and conditions of rural preschoolers	2,200,000
Nevada State College, Henderson, NV, for a visual media and computing laboratory	200,000
Nevada State College, Henderson, NV, to establish an accelerated nursing baccalaureate degree program	500,000
New College of Florida, Sarasota, FL, for Merging Arts and Sciences project	150,000
Nicholls State University, Thibodaux, LA, for an Advanced Technology Center	200,000
North Florida Community College, Madison, Florida, for a Registered Nursing Program	250,000
Northern Essex Community College, Lawrence, MA, for technology training center equipment and technology infrastructure	200,000
Northern Illinois University in DeKalb, IL, for acquisition of equipment and program support of the Vibration and Acoustics Center	100,000
Northern Illinois University, DeKalb, Illinois, for equipment, personnel and salaries	500,000
Northwest Shoals Community College, Phil Campbell, Alabama, for technology upgrades	50,000
Northwestern College, Orange City, IA, for equipment	50,000
Northwestern State University, Natchitoches, Louisiana, for technology upgrade and replacement	250,000
Norwalk Community College, Norwalk, CT for Nursing Center of Excellence	150,000
Oakland Community College, Auburn Hills, MI for emergency first responder training	150,000
Oklahoma Regents of Higher Education, Oklahoma City, OK, to support Ponca City's internet Hub project	50,000
Oregon Health Sciences University, Portland, OR, for the Nanobio Technology Program	300,000
Oregon Institute of Technology, Klamath Falls, OR, for the Center for Health Professions	50,000
Ozarks Technical Community College, Springfield, MO, for equipment	250,000
Palmer Chiropractic College in Florida	400,000
Pennsylvania State University, University Park, PA, for the Penn State Washington Internship Program	25,000
Pennsylvania State University, University Park, PA, for the Pennsylvania Rural Leadership Program	125,000
Perseverance Theatre, Douglas, AK to provide an educational program for Juneau School District students and the University of Alaska—Southeast in the theater arts	50,000
Philadelphia College of Osteopathic Medicine (PCOM), Philadelphia, PA for a Comprehensive Clinical Teaching and Assessment Center	100,000

Philadelphia University, Philadelphia, PA, to acquire and update campus wide technology and wiring	600,000
Pierce College, Philadelphia, PA, technology upgrades and course development for the Pierce Online Four-Year Distance Learning initiative	200,000
Pittsburgh Digital Greenhouse, Pittsburgh, PA, to facilitate work between research universities	250,000
Pittsburgh Life Sciences Greenhouse, Pittsburgh, PA, to better link research to technology	100,000
Point Park College, Pittsburgh, PA, for support of a biotechnology internship program and for equipment associated with science laboratories	100,000
Project Women, Louisville, KY, to support postsecondary educational opportunities for single mothers in poverty, through financial, educational, social, and other support programs	400,000
Regional Learning Alliance, Marshall Township, PA, to acquire instructional technology and to develop programming as part of a life-long education services initiative for Pittsburgh regional industry and community residents	200,000
Rhodes College, Memphis, TN, for the Rhodes College Learning Corridor project to expand an educational outreach and partnership program between the University and the Shelby County public school system	500,000
Rhodes State College, Lima, OH, for wiring, computer hardware and other infrastructure needs related to an information technology initiative	250,000
Robotics Foundry, Pittsburgh, Pennsylvania, for curriculum development	150,000
Saint Leo University, Saint Leo, FL, for Corporate to Classroom Transition	300,000
Saint Leo University, Saint Leo, Florida, for distance learning and video conferencing education	500,000
Salt Lake Community College, Salt Lake City, UT, to continue to develop the technology infrastructure for Smart Classrooms	200,000
Santa Clarita Community College District, California, for equipment	400,000
Savannah State University, Savannah, GA for environmental sciences and mass communications programs	200,000
Savannah State University, Savannah, Georgia, to improve the attainment of degrees	50,000
Schoolcraft College, Livonia, Michigan, for student support systems, equipment, faculty development and curriculum	350,000
Seminole State College, Seminole, OK, for equipment acquisition in support of a technology center	300,000
Seminole State College, Seminole, Oklahoma, for the Fast Track program at the School of Nursing for student support, scholarships and other services and assistance	50,000
Seton Hill University, Greensburg, PA, for a series of training workshops to develop and implement Seton Hill's National Education Center for Women in Business	150,000
Sheldon-Jackson College, Sitka, AK, for teacher training and training of human services professionals	500,000
Shenandoah University, Winchester, VA, to expand and enhance the programming of the John O. Marsh Institute for Government and Public Policy	250,000
Shepherd Community and Technical College, Martinsburg, West Virginia, for equipment for the Shepherd CTC paramedic program	100,000
Shippensburg University, Shippensburg, PA, for educational programs at the Center for Land Use, which may include technical, educational and research assistance to municipal officials in surrounding areas	100,000
Southeast Missouri State University River Campus, Cape Girardeau, MO, for technology equipment	1,500,000
Southeast Missouri State University, Cape Girardeau, MO, for its Bachelor of Science in Nursing program for registered nurses in the Bootheel Region of Missouri	250,000

Southeast Missouri State University, Cape Girardeau, MO, for the Polycom Program, which utilizes technology to prepare rural Missouri students for teaching careers	98,000
SouthEastern Pennsylvania Consortium for Higher Education, PA, for the Institute for Mathematics and Science to provide professional development to K–12 teachers	750,000
Southern Methodist University, Dallas, TX, for the Institute for Engineering Education	550,000
Southern New Hampshire University, Manchester, NH, to support distance education and technological enhancements in classrooms	500,000
Southern Oregon University AuCoin Institute for Ecological, Economic, and Civic Studies will serve as an educational training resource for federal employees and students to prepare them to intermediate effectively between private property owners and policy makers	75,000
Southwest Texas State University, San Marcos, Texas, for the Round Rock Higher Education Center	500,000
Spellman College, Atlanta, GA, for the Teacher as Leader Educational Initiative	50,000
St. Petersburg College, St. Petersburg, Florida, for Project Eagle I	1,500,000
St. Petersburg College, St. Petersburg, Florida, to establish the Center for Teaching Transformation	500,000
Stark State College of Technology, Canton, OH for health technology programs and equipment upgrade	235,000
Stark State College of Technology, Canton, OH, for equipment	500,000
State University of New York (SUNY) at Geneseo, Geneseo, NY, to establish the Geneseo Cluster Computing Facility	150,000
State University of New York, College at Oneonta, New York, for a literacy teaching center	160,000
State University of NY at Albany to train students for their work on New Energy New York Consortium's Capital Region project	50,000
Stephen F. Austin University, Nacogdoches, TX, in collaboration with the City of Nacogdoches to support a Center for Biotechnology	100,000
Stonehill College, Easton, MA, for Center for Non-Profit Management educational programs and equipment	275,000
Strom Thurmond Institute, Clemson University, Clemson, SC, for the Campbell Leadership Project	100,000
Syracuse University in New York to establish the Daniel Patrick Moynihan Global Affairs Institute, including support for an endowment	5,000,000
Talladega College, Talladega, AL, for systems technology, curriculum and distance learning development	100,000
Temple University, Philadelphia, PA, to develop and disseminate best practices for teacher recruitment and retention programs	200,000
Texas Southern University, Houston, TX, for the minority engineering program within the College of Science and Technology	300,000
Texas State University System, Austin, TX, for a teacher certification initiative	250,000
Texas State University, San Marcos, TX, to support a higher education center	200,000
Texas Tech University, Hill Country Campus, to expand and continue the Expanding Opportunities in Math and Science Education Initiative	250,000
Texas Tech University, Lubbock, TX, for the Geriatric Education and Training Academy	200,000
Thiel College, Greenville, PA, for campus-wide technology infrastructure upgrades	200,000
Thomas Edison State College, Trenton, NJ for distance learning technology infrastructure	40,000
Trident Technical College, Charleston, South Carolina, to equip the hospitality, tourism and culinary arts program	1,000,000
Trocaire College, Buffalo, NY for the nursing program	50,000
Troy State University, Montgomery, AL, for the Virtual University of the Armed Forces and Others	500,000
Truckee Meadows Community College, Reno, NV, for a pilot program to respond to the shortage of nurses	750,000

Tuskegee University, Tuskegee, AL, for the development of an Aviation Science and Aero-Technology Program	50,000
Union County College, Cranford, New Jersey, for Technology for Tomorrow initiative	100,000
United Negro College Fund Special Programs Foundation, Fairfax, VA, for a capacity building project benefiting historically black colleges and universities, including instrumentation acquisition and professional development for faculty	100,000
University Center, Greenville, South Carolina, for equipment	200,000
University of Akron, Akron, OH for the "Exercise in Hard Choices"	500,000
University of Alabama, Tuscaloosa, AL, for applied research at the Tuscaloosa Culverhouse Center for Information Technology	250,000
University of Alabama, Tuscaloosa, AL, for the Tuscaloosa Science Education Technology Initiative	400,000
University of Alaska Anchorage, Anchorage, AK, to develop the Leadership Institute and associated programs	100,000
University of Alaska, Fairbanks, AK, in conjunction with the Alaska Department of Education and the State of Alaska, for the Alaska Digital Archives and Digital Library and to digitize their information resources	250,000
University of Alaska, Fairbanks, AK, to develop and deliver distance learning courses in areas of high demand health care careers	250,000
University of Arizona Health Science Center, Tucson, AZ, for the combined family practice residency/integrative medicine fellowship training program	200,000
University of Arkansas for Medical Sciences to develop the Mid America Genetics Distance Education Consortium	1,300,000
University of Arkansas, School of Social Work, Fayetteville, Arkansas, for the School of Social Work Research Center	225,000
University of Central Florida, Orlando, FL for the Lou Frey Institute of Politics	250,000
University of Cincinnati, Cincinnati, OH for Ohio Partnership for Accountability—The Impact of Teacher Education	300,000
University of Colorado, Boulder, CO, for the Institute for Micro/Nano Technology for Engineering and Life Sciences for equipment and technical administrative support	600,000
University of Delaware, Newark, Delaware, for Child Care, Training and Applied Research Center	500,000
University of Dubuque in Dubuque, Iowa for the establishment of a nursing education program	500,000
University of Florida, Gainesville, Florida, for equipment for the Norman Hall project	100,000
University of Hawaii at Hilo for the Applied Rural Science Program	50,000
University of Idaho, Boise Campus, for the Advanced Computing and Modeling Laboratory to support expansion and further development of educational technology programs	800,000
University of Illinois at Springfield, Springfield, IL for teacher training in mathematics	250,000
University of Louisiana at Monroe to expand its early childhood programs for children in the Twin Cities	375,000
University of Louisville, Louisville, KY, Metropolitan Workforce Education Research Center for further development of a successful education and business partnership model	285,000
University of Memphis, Memphis, TN, for the Benjamin L. Hooks Institute for Social Change, including support for an endowment	500,000
University of Mississippi, University, MS, for a forensic chemistry program and equipment	580,000
University of Montana-Helena, College of Technology for equipment acquisition and program development	100,000
University of Montana-Missoula, School of Law for upgrades to the technology infrastructure and equipment acquisition	1,000,000
University of Montevallo Ebenezer Swamp Wetland Interpretive Research Center, Montevallo, AL for monitoring and laboratory equipment	400,000

University of Nevada-Reno, to establish a Latino Institute for Advocacy in Education, Research and Policy	300,000
University of Nevada, Las Vegas for the Nevada Test Site Oral History Project	250,000
University of Nevada-Las Vegas, College of Health Sciences, Las Vegas, NV, for equipment and curriculum development associated with the development of a Center for Excellence in Women's Health	300,000
University of New Orleans, New Orleans, Louisiana, for student scholarships related to the Maritime Safety Program	250,000
University of North Texas and Paul Quinn College, Denton, TX, for a Science and Math (SAM) Teacher Academy	250,000
University of North Texas, Denton, TX, for the Laboratory Experience and Development of Early Researchers	300,000
University of Oklahoma Health Sciences Center, Oklahoma City, Oklahoma, for a Bioinformatics program	200,000
University of Oregon, Eugene, OR, for the School of Music	50,000
University of Redlands, Redlands, CA for technology enhancement	250,000
University of Scranton, Scranton, PA, for an education program, utilizing technology, that also demonstrates a web-based model for dissemination of information to faith- and community-based organizations	100,000
University of South Carolina, Columbia, SC, for equipment and technology for the Multidisciplinary Science Center	1,200,000
University of South Carolina, Columbia, SC, for the Strom Thurmond Fitness and Wellness Center	5,000,000
University of South Florida, Tampa, Florida, for a "Globalization Research Network"	750,000
University of Southern Maine, Portland, ME, to acquire and upgrade laboratory equipment	650,000
University of Southern Mississippi, National Center for Excellence in Economic Development and Entrepreneurship for purposes including equipment, technology infrastructure, and telecommunications systems in support of the center's programs	4,000,000
University of St. Thomas Interprofessional Clinic for Counseling and Legal Services, St. Paul, MN	75,000
University of Texas at Austin, Texas Engineering and Technical Consortium, Austin, TX, for technical research and degree programs	3,000,000
University of Texas at Brownsville for the Student Leadership Retention Program	100,000
University of the Pacific/McGeorge School of Law, Sacramento, California, for the Feather River Facility	250,000
University of Tulsa, Tulsa, OK, for the New Nursing Faculty Initiative	50,000
University of Virginia's Center for Governmental Studies, Charlottesville, VA, for the Youth Leadership Initiative	1,300,000
University of West Alabama, Livingston, AL, for acquisition of technology and equipment in support of a comprehensive upgrade of the technological environment for all students, faculty, and professional staff	300,000
University of Wisconsin—Milwaukee School of Nursing, Milwaukee, WI for clinical nursing faculty	220,000
University of Wyoming, Laramie, Wyoming, for Student Information System (SIS) Replacement project for technological infrastructure improvements	200,000
Urban College of Boston in Massachusetts to support higher education programs serving low-income and minority students	900,000
Utah Valley State College, Orem, UT, to expand support services for single parent students	200,000
Utah Valley State College, Orem, UT, to support the Center for the Advancement of Leadership	150,000
Utah Valley State College, Orem, Utah, for Turning Point program	200,000
Valencia Community College, Orlando, FL for nurse education	375,000
Vanguard University of Southern California, Costa Mesa, CA, for computers, equipment, and staffing	250,000

Virginia Tech University, Blacksburg, Va, for Virginia Tech Learning Technologies to prepare at-risk high school students to pursue advanced education related to science, technology, engineering, or mathematics	400,000
Wahpeton State School of Science and North Dakota State University to recruit, retain and train pharmacy technicians	800,000
Wallace Community College, Dothan, Alabama, for the 21st Century Electronic Classroom project	500,000
Wenatchee Valley College Foundation in Washington State to support their nursing education program	250,000
Wesleyan College, Macon, GA, for the Willet Memorial Library and Learning Center Initiative	50,000
West Chester University, West Chester, PA, for technology infrastructure upgrades	150,000
Western Governors University in Salt Lake City, Utah for workforce development in South Dakota via distance education	200,000
Western Iowa Tech Community College, Sioux City, IA for equipment	200,000
Western Kentucky University, Bowling Green, KY, Center for Engineering and Biological Sciences for equipment	1,165,000
Western Kentucky University, Bowling Green, KY, for the nursing faculty accelerated development program	400,000
Western Nevada Community College, Carson City, NV, for the Jack C. Davis Observatory to acquire technology and offer related educational programming	50,000
Western New England College, Springfield, MA, for virtual classroom educational equipment and program development	200,000
Westminster College, Fulton, MO, for staff and curriculum development for the Center for Leadership and Service	750,000
Wheeling Jesuit University in West Virginia for the Math and Science Education Initiative	3,600,000
Widener University, Chester, PA, for operations and technology improvements for the Institute for Graduate Clinical Psychology	1,974,000
Wilson College, Chambersburg, PA, for development of a public policy institute to address the needs of single mothers	100,000
Wisconsin Association of Independent Colleges and Universities, Madison, WI, for the WAICU Collaboration Project	800,000
Wittenberg University, Springfield, Ohio, for the Springfield Alliance for Minority Teacher Recruitment and Preparation Program	200,000
Wright State University, Dayton, OH, for the Information Technology Research Institute	250,000
Wright State University, Dayton, OH, to provide funding for a Nursing Institute of West Central Ohio	200,000
York College of Pennsylvania, York, PA for technology upgrades for the Schmidt Library	100,000

Other Programs

The conference agreement includes $837,500,000 for TRIO instead of $835,000,000 as proposed by the House and $840,000,000 as proposed by the Senate.

With regard to the GEAR UP program, the conferees concur in the administration's request to provide a sixth and final year award to grantees first funded in 1999, while continuing all other funded projects. The conferees also have provided funds above the fiscal year 2003 level and the budget request for the Department to fund a new grant competition under the GEAR UP program. The conferees believe that grants should not be "front-loaded", but instead should be awarded on an annual basis from the fiscal year 2004 and subsequent appropriations during the period of the grant, contingent upon grantee performance. The conferees note that grants were awarded using this approach during the first several years of the program. The conferees expect the Department to con-

sult with them prior to the announcement of any new grant competition.

The agreement also includes $41,000,000 for Byrd Honors Scholarships as proposed by the Senate instead of $40,734,000 as proposed by the House.

The conference agreement also includes $89,415,000 for Teacher Quality Enhancement Grants as proposed by the Senate instead of $90,000,000 as proposed by the House. The conference agreement includes $16,194,000 for the child care access program as proposed by the Senate instead of $15,000,000 as proposed by the House.

The conference agreement does not include funding for Thurgood Marshall Scholarships as proposed by the Senate instead of $4,968,000 as proposed by the House. The agreement also includes $994,000 for Olympic Scholarships as proposed by the House. The Senate bill did not provide funding for this program.

HOWARD UNIVERSITY

The conference agreement includes $240,180,000 for Howard University instead of $242,770,000 as proposed by the House and $238,440,000 as proposed by the Senate.

INSTITUTE OF EDUCATION SCIENCES

The conference agreement includes $478,717,000 for Education Research, Statistics and Improvement instead of $500,599,000 as proposed by the House and $532,956,000 as proposed by the Senate.

The conferees provide $166,500,000 for research instead of $185,000,000 as proposed by the House and $144,090,000 as proposed by the Senate. The conferees have provided at least $24,362,000 for the National Research and Development Centers program in recognition of the need for the Department of Education to implement the Education Sciences Reform Act of 2002. The funding is sufficient to provide continued funding for current centers' awards as requested by the administration and an additional $5,000,000 to begin awarding new research and development centers in fiscal year 2004 in accordance with the requirements of section 133(c) of Public Law 107–279. The conferees expect the Department to implement the law by addressing the topics required in the statute, with particular attention to rural education.

The conferees strongly support the premise that developing, identifying and implementing scientifically based research is critical to the success of the No Child Left Behind Act and to the increased effectiveness generally of education programs and interventions. In particular, the conferees believe that a greater focus must be placed on the use of randomized controlled trials, longitudinal studies, and other research that meets the standards set by the National Research Council. The development of an enhanced research infrastructure will help build a base of research-proven interventions that can be used by educational institutions to help improve the educational outcomes of our Nation's student population. The conferees note that there is a lack of scientifically based education research, such as randomized research trials.

The conferees direct the Assistant Secretary for the Institute of Education Sciences to contract with the National Research Council (NRC) of the National Academies of Science to undertake a study of teacher preparation programs in the United States. The conferees expect this study to synthesize data and research on the academic preparation and educational characteristics of candidates in pre-service, graduate, and alternative certification programs; the specific content and experiences that are provided to candidates for degrees and alternative certification in education; the consistency of the required course work and experiences in reading and mathematics across teacher preparation programs; and the degree to which the content and experiences are based on converging scientific evidence. If the NRC determines that there is insufficient information and research from which to generate a useful synthesis, it may engage in data collection, either by directly contracting with one or more organizations to design and implement surveys and other data collection activities, or by working collaboratively through the National Center for Education Statistics of the Institute of Education Sciences of the U.S. Department of Education, and/or the National Institute of Child Health and Human Development of the U.S. Department of Health and Human Services to enable data collections to support the work of the NRC.

The NRC also should develop a model for collecting information on the content knowledge, pedagogical competence and effectiveness of graduates from teacher education programs and teachers trained in alternative certification programs, and review the needs of schools for high quality teachers, as called for in the No Child Left Behind Act. The conferees expect this work to be conducted for K–12 teachers with a focus on reading, mathematics, and science instruction.

The conferees strongly urge the Department to launch a competition for new comprehensive centers, in accordance with title II, sections 203 and 205, of the Education Sciences Reform Act of 2002, as soon as possible. The competition cannot be held until the 10 regional advisory committees described in section 206 conduct needs assessments. Therefore, the conferees urge the Department to ensure that the committees complete their work by September 1, 2004.

The conference agreement does not include funding for statewide data systems as proposed by the House. The Senate bill included $80,000,000 for this activity.

The conference agreement also includes $92,208,000 for statistics instead of $95,000,000 as proposed by the House and $89,415,000 as proposed by the Senate.

The agreement includes $90,235,000 for National Assessment activities as proposed by the Senate instead of $90,825,000 as proposed by the House. The agreement also includes $5,090,000 for the National Assessment Governing Board as proposed by the House instead of $4,532,000 as proposed by the Senate.

DEPARTMENTAL MANAGEMENT

The conference agreement includes $425,000,000 for Departmental program administration instead of $434,494,000 as proposed by the House and $349,730,000 as proposed by the Senate.

The agreement also includes $89,275,000 for the Office for Civil Rights, instead of $91,275,000 as proposed by the House and $77,884,000 as proposed by the Senate. The agreement also includes $47,137,000 for the Office of the Inspector General instead of $48,137,000 as proposed by the House and $37,661,000 as proposed by the Senate.

The conferees strongly support the Buy American Act, which was enacted in 1933 to ensure that the Federal government supports domestic companies and domestic workers by buying American-made goods. The Act includes a number of waiver provisions that allow Federal agencies to buy foreign goods in some circumstances, but there is little disclosure or accountability in the waiver process. The conferees, therefore, direct the Secretary to issue a report not later than 60 days after the last day of fiscal year 2004 on the amount of acquisitions made by the Department during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the department that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States.

The conferees are concerned that Federal tax dollars not be spent to compete with private-sector businesses. The conferees expect the Department to be prepared to answer questions regarding this issue during the fiscal year 2005 budget hearings.

GENERAL PROVISIONS

ADVANCE ADJUSTMENT

The conference agreement does not include language proposed by the Senate adjusting the amount of education funding advanced in the fiscal year 2003 appropriations bill. The House bill included similar language as a title V general provision.

FEDERAL NEED ANALYSIS

The conference agreement modifies language proposed by the Senate prohibiting the Department of Education from implementing annual updates to the tax tables used in Federal Need Analysis Methodology. The House bill contained no similar provision.

IDEA

The conference agreement does not include a provision proposed by the Senate regarding funding for IDEA, offset by an extension in customs user fees. The House bill contained no similar provision. Funding for this program is provided elsewhere in title III of this bill.

ECONOMIC EDUCATION

The conference agreement does not include a provision proposed by the Senate relating to funding for economic education programs. The House bill contained no similar provision. Funding for this program is provided elsewhere in title III of this bill.

UNDERGROUND RAILROAD

The conference agreement does not include a provision proposed by the Senate relating to funding for the Underground Railroad program. The House bill contained no similar provision. Funding for this program is provided elsewhere in title III of this bill.

STATEWIDE DATA SYSTEMS

The conference agreement does not include a provision proposed by the Senate relating to funding for section 208 of the Education Science Reform Act of 2002 (statewide data collection systems), offset by a reduction to management and administration accounts at the Department of Education. The House bill contained no similar provision.

DROPOUT PREVENTION

The conference agreement does not include a provision proposed by the Senate regarding funding for dropout prevention programs. The House bill contained no similar provision. Funding for this program is provided elsewhere in title III of this bill.

DANIEL PATRICK MOYNIHAN INSTITUTE

The conference agreement does not include a provision proposed by the Senate authorizing an endowment for the Daniel Patrick Moynihan Global Affairs Institute. The House bill contained no similar provision.

MIGRANT EDUCATION

The conference agreement does not include a provision proposed by the Senate relating to funding for migrant education programs. The House bill contained no similar provision. Funding for these programs is included elsewhere in title III of this bill.

STUDY OF NEED ANALYSIS FORMULA

The conference agreement includes a provision directing the Advisory Committee on Student Financial Assistance to conduct a thorough study of the feasibility of simplifying the need analysis methodology for all Federal student financial assistance programs and the process of applying for such assistance. The provision includes a postponement of any tax table updates pending this report. Neither the House nor the Senate bills contained this provision.

IMPACT AID

The conference agreement includes a provision relating to the timely filing of an Impact Aid application from a school district. Neither the House nor the Senate bills contained this provision.

TITLE IV—RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

The conference agreement includes $356,443,000 for the Domestic Volunteer Service programs instead of $352,836,000 as proposed by the House and $355,187,000 as proposed by the Senate.

Volunteers in Service to America (VISTA)

The conference agreement includes $94,287,000 for VISTA as proposed by the Senate instead of $93,674,000 as proposed by the House.

Volunteers in Homeland Security

The conference agreement includes $9,935,000 for Volunteers in Homeland Security as proposed by the Senate instead of $5,000,000 as proposed by the House.

National Senior Volunteer Corps

The conference agreement includes $46,260,000 for the Senior Companion Program (SCP) as proposed by the House instead of $46,563,000 as proposed by the Senate. The agreement also includes $58,501,000 for the Retired Senior Volunteer Program (RSVP) as proposed by the House instead of $58,884,000 as proposed by the Senate.

Funds appropriated for fiscal year 2004 may not be used to implement or support service collaboration agreements or any other changes in the administration and/or governance of national service programs prior to passage of a bill by the authorizing committees of jurisdiction specifying such changes. The conference agreement does not include funding for senior demonstration activities. Both the House and the Senate funded this program at $397,000.

Program Administration

The conference agreement includes $36,685,000 for program administration instead of $38,229,000 as proposed by the House and $34,346,000 as proposed by the Senate. The conferees have included funds to provide training and technical assistance to local projects in performance measurement as envisioned by the Government Performance and Results Act. The conferees are aware of concerns relating to performance measurements, and therefore direct the Corporation to continue to gather feedback for the Senior Corps national associations in order to develop the most appropriate and useful criteria.

The conferees are aware of the Corporation's recent decision to make the director of the Iowa State office responsible for administration of the Nebraska State office as well. Over the past two years, the Senate Committee on Appropriations has clearly indi-

cated its concern over such proposed consolidations, but the Committee was nonetheless informed that the consolidation was necessary due to budgetary constraints. The conferees are aware that employee bonuses in the Corporation's headquarters have more than doubled during the year this consolidation took place. In fact, the increase in bonuses was almost triple the amount needed to prevent this consolidation. The conferees are concerned that grantees and constituents in Iowa and Nebraska may receive a lowered level of service because of the distance and time involved in managing two State offices. For this reason, the conferees have included sufficient funding to maintain a separate State director in the Nebraska State office.

CORPORATION FOR PUBLIC BROADCASTING

The conference agreement provides $400,000,000 in funding for fiscal year 2006, as proposed by the Senate instead of $330,000,000 as proposed by the House.

The conferees strongly urge the CPB to allocate a minimum of $100,000 in a Community Service Base Grant to each of the 14 public radio stations around the Nation that provide the sole source of radio news and information in their communities. The additional funds would permit these stations to extend their broadcast hours and improve service to their listeners. Recipients of these grants should not be denied eligibility for any other CPB grant programs.

The conference agreement also includes $50,000,000 for digital conversion instead of $55,000,000 as proposed by the Senate. The House had proposed providing authority for CPB to utilize previously appropriated funds for this purpose.

The conference agreement also includes $10,000,000 as the first installment of a three-year project to replace the satellite interconnection system. This amount is the same as the Senate. The House had proposed providing authority for CPB to utilize previously appropriated funds for this purpose.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

The conference agreement provides $262,596,000 for the Institute of Museum and Library Services instead of $238,126,000 as proposed by the House and $243,889,000 as proposed by the Senate.

Within the total for the Institute, the conference agreement includes funding for the following activities in the following amounts.

Program	*[dollars in thousands]*
Museums for America/Assessment	$16,889
Conservation Project Support/Assessment	3,619
National Leadership Grants for Museums	6,932
State Grants	161,788
Native American Library Services	(3,225)
National Leadership Grants for Libraries	11,330
21st Century Librarian Initiative	20,000
Administration	10,450

The conference agreement also specifies funding for the following:

Alabama School of Math and Science at the University of Alabama for technology upgrades and library resources	$125,000

Alaska Moving Image Preservation Association, Anchorage, AK to digitize files/photos/videos of Alaskan history	50,000
Alex Haley House Museum, Henning, TN for care and preservation of collection	25,000
Allen County Historical Society, Lima, OH, for the "Move Our Past Forward" project to expand and develop exhibits for their Children's Discovery Museum Center	500,000
Allentown Art Museum, Allentown, PA, for educational programming for school districts	75,000
Alutiiq Museum, Kodiak, AK to support programs to teach students and adults how to develop traditional Native arts	100,000
American Village Citizenship Trust, Montevallo, AL for a national initiative for teaching American history and civics	200,000
Arab Community Center for Economic and Social Services (ACCESS), Dearborn, MI, for exhibits and museum programs	100,000
Ashland Community Arts Center, Ashland, OH, for Arts in Downtown project	100,000
Athenaeum of Philadelphia, Philadelphia, PA, to preserve library materials and access to information in the form of digital images on the Internet	75,000
Beth Medrash Govoha, Lakewood, NJ, for equipment and exhibits for the Holocaust Library	500,000
Bishop Museum in Hawaii for activities to preserve the culture of Native Hawaiians	400,000
Bishop Museum in Hawaii to develop Native Hawaiian cultural projects in collaboration with the Peabody Museum of Massachusetts and an Alaskan museum	400,000
Burpee Museum of Natural History, Rockford, IL, for community outreach and educational activities	900,000
Campbell Center for Historic Preservation Studies, Mount Carroll, IL, for community outreach and program planning	100,000
Chaldean Community Culture Center, West Bloomfield, MI, for programs that promote Chaldean language, history, culture and teacher training	200,000
Chapman University, Orange, California, for technological infrastructure	250,000
Chartiers Valley Partnership, Inc., Carnegie, PA, for technological and educational programs at the Andrew Carnegie Free Library	250,000
Children's Museum at La Habra, California, for a Hands On English Program	113,000
Children's Museum of History, Natural History, Science and Technology, Utica, New York, for technology improvements, staffing and training	144,000
Cincinnati Museum Center at Union Terminal, Cincinnati, Ohio, to develop and implement an integrated curriculum that will utilize its resources in art, science, and history when visiting the museum	400,000
City of Hemet, California, for Hemet Public Library, for library materials and technological equipment	150,000
City of Whittier, California, for the Whittier Public Library Children's Area and History Room	387,000
Cleveland Health Museum, Cleveland, OH, for exhibits	250,000
College of Physicians of Philadelphia, Philadelphia, PA, to preserve medical library and art collection	100,000
Davenport Music History Museum in Davenport, IA	400,000
Delaware County Historical Society, Media, PA, for educational programs highlighting historical themes and sites relating to Delaware County	75,000
East Stroudsburg University, East Stroudsburg, PA to preserve and develop exhibits for their Vintage Radio Programs and Jazz Museum	75,000
Elmwood Zoo, Norristown, PA for student education programs	100,000
Erie County, Erie, PA, for technology upgrades for the Erie County Library	75,000
Fender Museum of the Arts Foundation, Corona, CA, for the Kids Rock Free educational program	100,000

Fine Arts Museums of San Francisco for the De Young Museum's Art Education Program	200,000
Florida Holocaust Museum, St. Petersburg, Florida, for school outreach program	1,500,000
Florida International Museum, St. Petersburg, Florida, for professional activities	750,000
Folger Library, Washington, DC for exhibits, operations, and public programs including education and outreach	1,600,000
Forsyth County Public Library, Winston-Salem, North Carolina, for salaries, supplies, personnel and materials	50,000
Gault Family Learning Center, Wooster, OH, for PALS/Parenting Resource Center/Growing Together	50,000
General George S. Patton Jr National Museum of Cavalry and Armor, Ft. Knox, KY	250,000
George C. Marshall Foundation in Lexington, Virginia, for exhibit design and development and collection preservation	500,000
Grout Museum, Waterloo, IA, for exhibits and design of the Sullivan Brothers Veterans Museum and Research Center	500,000
Heritage Harbor Museum of Providence, RI for exhibit design and development relating Rhode Island and American history	200,000
Hernando County Library System, Florida, for technology improvements at West Hernando Branch Library, Brooksville Main Library, Spring Hill Library, and East Hernando Branch Library	150,000
Hesperia Community Library, Hesperia, CA	250,000
Historical Society of Western Pennsylvania, Pittsburgh, PA, for exhibit and curriculum development for the Western Pennsylvania Sports Museum at the Senator John Heinz Pittsburgh Regional History Center	200,000
Historical Society of Western Pennsylvania, Pittsburgh, PA for exhibit design and development for the Meadowcraft Museum of Rural Life	150,000
Idaho State University, Pocatello, Idaho, for a Virtual Idaho Museum of Natural History project	250,000
Imaginarium Science Center, Anchorage, AK to develop science exhibits and distance delivery modules	50,000
International Museum of Women to develop exhibits on the history of women's lives worldwide	100,000
International Storytelling Center, Jonesborough, TN	100,000
James Ford Bell Museum of Natural History, Minneapolis, MN, to produce detailed exhibit design and development	100,000
Kishacoquillas Valley Historical Society, Allensville, PA for care and preservation of collection	100,000
Lafayette College, Easton, PA, for technology updates to the Skillman Library	100,000
Madera County Resource Management Agency, Madera, CA	166,000
Magic House, Kirkwood, MO for the development and design of interactive exhibits and software to be used within The Magic Library to support family literacy	21,000
Mary Meuser Memorial Library, Easton, PA for library upgrades	100,000
Metropolitan Museum of Art, New York, in conjunction with the Fairbanks Museum of Art and the Anchorage Museum of History and Art, for costs of mounting the exhibit and for costs associated with bringing the exhibit to Alaska	250,000
Michigan Space and Science Center, Jackson, MI, for development of the strategic plan, operational costs and personnel	350,000
Mississippi Department of Archives and History, Jackson, MS, to complete the preservation and restoration of the Eudora Welty House	450,000
Mobile Museum of Art, Mobile, AL for equipment and supplies, and for exhibit design and development	75,000
Morehouse College Library, Atlanta, GA for historical preservation of documents and records	100,000
Mother Bethel Foundation, Philadelphia, PA for care and preservation of collection at the Richard Allen Museum	100,000
Museum of Aviation Foundation Inc, Warner Robins, GA	225,000
Museum of Broadcast Communications, Chicago, IL for educational programming	250,000

Museum of Science in Boston, MA, for technology upgrades and equipment for the National Center for Technology Literacy	1,000,000
Mystic Seaport, the Museum of America and the Sea, Mystic, Connecticut to support collections	100,000
National Canal Museum, Easton, PA, for educational programming and exhibits on the use of transportation and industrial technology along the Lehigh Canal	50,000
National Center for American Revolution, Wayne, PA, for exhibit design and curriculum development for the Museum of the American Revolution at Valley Forge National Historic Park	400,000
National Center for the Study of Civil Rights and African-American Culture, Alabama State University, Montgomery, AL, for support of events leading into the 50th anniversary of the Montgomery Bus Boycott	50,000
National Civil Rights Museum in Memphis for exhibit design and development, and for educational programs	500,000
National Distance Running Hall of Fame, Utica, New York, for display cases and to establish new interactive displays	16,000
National Liberty Museum, Philadelphia, PA for a teacher training program to assist educators in addressing violence in schools	500,000
National Mississippi River Museum and Aquarium in Dubuque, IA for exhibits	650,000
National Museum of American Jewish History, Philadelphia, PA for online educational programming and technology modernization	200,000
National Museum of Women in the Arts, Washington, D.C.	1,000,000
Native American Cultural and Educational Authority, Oklahoma City, Oklahoma, for the Oklahoma Native American Culture Center and Museum, to be expended only upon meeting the matching requirements in Title III, section 301(b)(2)(B) of P.L. 107–331	1,000,000
Negro Leagues Baseball Museum, Kansas City, MO, for exhibits for the Double Play Action Center	300,000
New York Botanical Garden's Virtual Herbarium imaging project in Bronx, New York	400,000
New York Hall of Science to develop, expand, and display science-related educational materials	900,000
Niagara County Historical Society, Lockport, NY, to create a state-of-the art interpretive museum	420,000
Northwest Museum of Arts and Culture, Spokane, WA for the Star Nations Program project	50,000
O. Winston Link Museum, Roanoke, Virginia, for displays and digitization	210,000
Piper's Opera House Programs, Inc., Virginia City, NV for exhibit design and development, educational programming, and technology modernization	150,000
Pittsburgh Children's Museum, Pittsburgh, PA, to expand arts and after-school programs for at-risk children	100,000
Placer County Library, Auburn, CA, to enhance library collection through the purchase of library materials	50,000
Plano Community Library District, Plano, Illinois, for expenses related to the library	977,000
Please Touch Museum, Philadelphia, PA, to develop educational programs focusing on hands-on learning experiences	725,000
Plumas County Library, Quincy, CA, for library materials	100,000
Putnam County Commissioners, Winfield, West Virginia, for technology for the public library system in Putnam County	25,000
Rock and Roll Hall of Fame and Museum, Cleveland, OH for the Rockin' the Schools education program	200,000
Saint Tikhon's Theological Seminary, South Canaan, PA, for care and preservation of Russian artifacts	50,000
San Bernardino County, San Bernardino, CA, for the San Bernardino County Museum	250,000
Serra Cooperative Library System, San Diego, California, to provide Live Homework Help Project to help students with expert tutors for real-time online instructions	100,000

Simon Wiesenthal Center's Los Angeles Museum for Tolerance, Los Angeles, CA, for the Tools for Tolerance for Educators program to provide teacher training in diversity, tolerance and cooperation	100,000
Southern New Hampshire Services, Inc., Manchester, New Hampshire, for exhibit acquisition for SEE Science Center	25,000
Speed Art Museum, Louisville, KY	400,000
Standing Bear Museum and Learning Center, Ponca City, OK	100,000
State Historical Society of Iowa in Des Moines, Iowa for the development of exhibits for the World Food Prize	1,000,000
Taft Museum of Art, Cincinnati, OH for educational programming and exhibits	200,000
Tennessee State University African American History Museum, Nashville, TN to enhance the library facilities which will include new exhibits, expanded archives, and research programs	1,000,000
The Arts Guild of Old Forge, Old Forge, New York, for the new exhibits spaces and educational programs	24,000
Tifton-Tift County Public Library, Tifton, GA	50,000
Tillamook County Library, Tillamook, OR for design and development of exhibits and educational programs	60,000
Town of Greece, Rochester, NY, for the Greece Public Library Security program	100,000
Tuskegee Multicultural Center, Tuskegee, AL, to provide for technology enhancements and installation of exhibits	50,000
University of Idaho for digital archiving and preservation of historically significant American music and facilitating its access to students and scholars nationwide	400,000
Vietnam Archives Center at Texas Tech University, Lubbock, Texas, for technology infrastructure	500,000
Virginia Historical Society, Richmond, VA, to assist with educational programmatic development and for cataloging and archiving of business history records	250,000
Virginia Living Museum for the expansion of its educational programs in its capital campaign project	100,000
Westminster College Library, New Wilmington, PA for technology upgrades and computers and community programming	100,000
WWII Victory Memorial Museum, Auburn, Indiana, for interpretive dioramas, education, research library and visual documentary	600,000
Zimmer Children's Museum, Los Angeles, CA to expand the youTHink education program	100,000

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

The conference agreement provides $1,000,000 for the National Commission on Libraries and Information Science as proposed by the House and the Senate.

NATIONAL COUNCIL ON DISABILITY

The conference agreement includes $3,039,000 for the National Council on Disability instead of $2,830,000 as proposed by the House and $3,339,000 as proposed by the Senate.

The conferees direct the Council to develop and submit to the Committees on Appropriations of the House and Senate an operating plan detailing the activities the Council plans for fiscal year 2004. The conferees request that the plan detail the programs, projects, and activities proposed to be undertaken during this fiscal year and/or planned to be supported in fiscal year 2005, including those outlined within object class 25. The conferees request that the Council submit the plan within 30 days of enactment of this Act.

NATIONAL LABOR RELATIONS BOARD

The conference agreement provides $244,073,000 for the National Labor Relations Board instead of $239,429,000 as proposed by the House and $246,073,000 as proposed by the Senate.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

The conference agreement provides $9,863,000 for the Occupational Safety and Health Review Commission instead of $10,115,000 as proposed by the House and $9,610,000 as proposed by the Senate.

RAILROAD RETIREMENT BOARD LIMITATION ON ADMINISTRATION

The conference agreement includes $101,300,000 for the Railroad Retirement Board Limitation on Administration Expenses as proposed by the House instead of $99,350,000 as proposed by Senate.

The conferees understand that the Railroad Retirement Board has an obligation under the Railroad Retirement and Survivors' Improvement Act of 2001 to enter into an arrangement with a nongovernmental financial institution to serve as disbursing agent for benefits payable under the Railroad Retirement Act. The conferees understand that implementation of this requirement is a time consuming process and that the Board may need up to a year to complete this requirement.

RAILROAD RETIREMENT BOARD OFFICE OF INSPECTOR GENERAL

The conference agreement includes a limitation on transfers from the railroad trust funds of $6,600,000 for administrative expenses of the Office of Inspector General as proposed the House instead of $6,322,000 as proposed by the Senate.

The conferees do not include language proposed by the Senate that allows the Office of the Inspector General to conduct audits, investigations, and reviews of the Medicare programs.

SOCIAL SECURITY ADMINISTRATION SUPPLEMENTAL SECURITY INCOME PROGRAM

The conference agreement includes $26,349,300,000 for the Supplemental Security Income Program instead of $26,341,300,000 as proposed by the House and $26,410,000,000 as proposed by the Senate. Within the funds provided, the conference agreement includes $8,000,000 as proposed by the Senate for outreach efforts and assistance to homeless persons and other underserved populations. Also within the total, $2,973,300,000 is included for the administrative costs of the program as proposed by the House. The Senate included $3,034,000,000 for administrative costs.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes $8,361,800,000 for the limitation on administrative expenses as proposed by the House rather than $8,530,000,000 as proposed by the Senate. Within the total, $15,000 is provided for the Social Security Commissioner's official

reception and representation expenses as proposed by the House. The Senate had proposed $20,000 for these expenses.

The conference agreement does not include a provision as proposed by the Senate that delays $107,000,000 in obligations until September 30, 2004. The House bill did not contain a similar provision.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement includes $88,200,000 for the office of the inspector general as proposed by the House rather than $82,460,000 as proposed by the Senate.

UNITED STATES INSTITUTE OF PEACE

The conference agreement provides $17,200,000 for the United States Institute of Peace, the same level as proposed by both the House and Senate.

The conferees direct the Institute to increase direct support for programs to improve textbooks, materials and other means of educational reform to teach Middle Eastern youth about nonviolent approaches to resolving intergenerational cycles of conflict and hatred, and ways that these cycles can be broken. The conferees direct the Institute to report to the Committees on Appropriations, by March 1, 2004, on their efforts in this area.

TITLE V—GENERAL PROVISIONS

ADJUSTMENT OF ADVANCES

The conference agreement does not include language adjusting the amount of education funding advanced in the fiscal year 2003 appropriations bill as proposed by the House. The Senate bill contained a similar provision in title III.

LIMITATION ON LIBRARIES

The conference agreement includes a limitation on the ability of a library to access library funding provided under this Act unless the library is in compliance with the Children's Internet Protections Act, as proposed by the House. The Senate bill contained no similar provision.

LIMITATION ON SCHOOLS

The conference agreement includes a limitation on the ability of an elementary or secondary school to access technology funding provided under this Act unless the school is in compliance with the Children's Internet Protections Act, as proposed by the House. The Senate bill contained no similar provision.

ACROSS-THE-BOARD SALARIES AND EXPENSES REDUCTION

The conference agreement includes a modified provision proposed by the Senate to reduce salaries and expenses of the Departments of Labor, Health and Human Services, and Education. The House bill contained no similar provision.

ADDITIONAL FUNDING FOR VOLUNTEER PROGRAMS

The conference agreement does not include a provision proposed by the Senate to provide additional funding for volunteers in homeland security under the Corporation for National and Community Service. The House bill contained no similar provision. Funding for this program is included in title IV of this bill.

CONFERENCE AGREEMENT

The following table displays the amounts agreed to for each program, project or activity with appropriate comparisons:

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
TITLE I - DEPARTMENT OF LABOR										
EMPLOYMENT AND TRAINING ADMINISTRATION										
TRAINING AND EMPLOYMENT SERVICES										
Grants to States:										
Adult Training, current year	186,778	188,000	188,000	188,000	188,000	+1,222	---	---	D	FF
Advance from prior year	(707,372)	(712,000)	(712,000)	(712,000)	(712,000)	(+4,628)	---	---	NA	
FY 2005	712,000	712,000	712,000	712,000	712,000	---	---	---	D	
Adult Training	898,778	900,000	900,000	900,000	900,000	+1,222	---	---		
Youth Training	994,459	1,000,965	1,000,965	1,000,965	1,000,965	+6,506	---	---	D	FF
Dislocated Worker Assistance, current year	307,152	258,432	307,152	332,152	332,152	+25,000	+25,000	---	D	FF
Advance from prior year	(842,488)	(848,000)	(848,000)	(848,000)	(848,000)	(+5,512)	---	---	NA	
FY 2005	848,000	848,000	848,000	848,000	848,000	---	---	---	D	
Dislocated Worker Assistance	1,155,152	1,106,432	1,155,152	1,180,152	1,180,152	+25,000	+25,000	---		
Federally Administered Programs:										
Dislocated Worker Assistance National Reserve:										
Current year	93,993	64,608	93,993	64,608	64,608	-29,385	-29,385	---	D	FF
Advance from prior year	(210,622)	(212,000)	(212,000)	(212,000)	(212,000)	(+1,378)	---	---	NA	
FY 2005	212,000	212,000	212,000	212,000	212,000	---	---	---	D	
Dislocated Worker Assistance Nat'l Reserve	305,993	276,608	305,993	276,608	276,608	-29,385	-29,385	---		
Total, Dislocated Worker Assistance	1,461,145	1,383,040	1,461,145	1,456,760	1,456,760	-4,385	-4,385	---		
Native Americans	55,636	55,000	55,000	55,636	55,000	-636	---	-636	D	FF
Migrant and Seasonal Farmworkers	76,823	---	59,600	76,823	76,823	---	+17,223	---	D	FF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
Job Corps:										
Operations	794,800	844,667	820,000	830,000	825,000	+30,200	+5,000	-5,000	D	FF
Advance from prior year	(587,158)	(591,000)	(591,000)	(591,000)	(591,000)	(+3,842)	---	---	NA	
FY 2005	591,000	591,000	591,000	591,000	591,000	---	---	---	D	
Construction and Renovation	27,371	30,216	30,216	20,216	30,216	+2,845	---	+10,000	D	FF
Advance from prior year	(99,350)	(100,000)	(100,000)	(100,000)	(100,000)	(+650)	---	---	NA	
FY 2005	100,000	100,000	100,000	100,000	100,000	---	---	---	D	
Subtotal, Job Corps, program level	1,513,171	1,565,883	1,541,216	1,541,216	1,546,216	+33,045	+5,000	+5,000		
National Activities:										
Pilots, Demonstrations and Research	75,855	35,000	46,615	35,000	57,344	-18,511	+10,729	+22,344	D	FF
Responsible Reintegration of Youthful Offender	54,642	---	---	54,642	50,000	-4,642	+50,000	-4,642	D	FF
Evaluation	9,039	9,098	9,098	9,039	9,039	---	-59	---	D	FF
Youth Opportunity Grants	44,211	---	---	---	---	-44,211	---	---	D	FF
Denali Commission	---	---	---	7,000	5,000	+5,000	+5,000	-2,000	D	FF
Other	15,409	3,000	3,400	3,507	3,507	-11,902	+107	---	D	FF
Subtotal, National activities	199,156	47,098	59,113	109,188	124,890	-74,266	+65,777	+15,702		
Subtotal, Federal activities	2,150,779	1,944,589	2,020,922	2,059,471	2,079,537	-71,242	+58,615	+20,066		
Current Year	1,247,779	1,041,589	1,117,922	1,156,471	1,176,537	-71,242	+58,615	+20,066		
FY 2005	903,000	903,000	903,000	903,000	903,000	---	---	---		
Total, Workforce Investment Act	5,199,168	4,951,986	5,077,039	5,140,588	5,160,654	-38,514	+83,615	+20,066		
Current Year	2,736,168	2,488,986	2,614,039	2,677,588	2,697,654	-38,514	+83,615	+20,066		
FY 2005	2,463,000	2,463,000	2,463,000	2,463,000	2,463,000	---	---	---		
Women in Apprenticeship	993	---	---	---	---	-993	---	---	D	
Subtotal, National activities, TES	200,149	47,098	59,113	109,188	124,890	-75,259	+65,777	+15,702		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
Total, Training and Employment Services	5,200,161	4,951,986	5,077,039	5,140,588	5,160,654	-39,507	+83,615	+20,066		
Current Year	(2,737,161)	(2,488,986)	(2,614,039)	(2,677,588)	(2,697,654)	(-39,507)	(+83,615)	(+20,066)		
FY 2005	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	---	---	---		
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS	442,306	440,200	440,200	442,306	441,253	-1,053	+1,053	-1,053	D	FF
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES	972,200	1,338,200	1,338,200	1,338,200	1,338,200	+366,000	---	---	M	
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS										
Unemployment Compensation:										
State Operations	2,624,318	2,640,002	2,624,318	2,634,924	2,624,318	---	---	-10,606	TF	
National Activities	9,935	10,500	9,935	10,500	9,935	---	---	-565	TF	
Subtotal, Unemployment Compensation	2,634,253	2,650,502	2,634,253	2,645,424	2,634,253	---	---	-11,171		
Employment Service:										
Allotments to States:										
Federal Funds	23,300	23,452	23,300	23,300	23,300	---	---	---	D	
Trust Funds	768,257	773,283	768,257	768,257	768,257	---	---	---	TF	
Subtotal	791,557	796,735	791,557	791,557	791,557	---	---	---		
ES National Activities	50,351	78,546	70,351	64,351	64,351	+14,000	-6,000	---	TF	
Subtotal, Employment Service	841,908	875,281	861,908	855,908	855,908	+14,000	-6,000	---		
Federal Funds	23,300	23,452	23,300	23,300	23,300	---	---	---		
Trust Funds	818,608	851,829	838,608	832,608	832,608	+14,000	-6,000	---		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
One-Stop Career Centers/Labor Market Information.....	99,350	101,000	99,350	99,350	99,350	---	---	---	D	
Work Incentives Grants.....	19,870	20,000	19,870	19,870	19,870	---	---	---	D	FF
Total, State Unemployment & Employment Srvcs	3,595,381	3,646,783	3,615,381	3,620,552	3,609,381	+14,000	-6,000	-11,171		
Federal Funds.....	142,520	144,452	142,520	142,520	142,520	---	---	---		
Trust Funds.....	3,452,861	3,502,331	3,472,861	3,478,032	3,466,861	+14,000	-6,000	-11,171		
ADVANCES TO THE UI AND OTHER TRUST FUNDS 1/.....	463,000	467,000	467,000	467,000	467,000	+4,000	---	---	M	
PROGRAM ADMINISTRATION										
Adult Employment and Training.....	42,326	38,700	38,700	38,700	38,700	-3,626	---	---	D	
Trust Funds.....	4,243	6,854	6,854	6,854	6,854	+2,611	---	---	TF	
Youth Employment and Training.....	38,691	39,333	39,333	39,333	39,333	+642	---	---	D	
Employment Security.....	6,009	5,997	5,997	5,997	5,997	-12	---	---	D	
Trust Funds.....	47,596	58,634	47,596	54,230	48,913	+1,317	+1,317	-5,317	TF	
Apprenticeship Services.....	20,699	20,932	20,932	20,932	20,932	+233	---	---	D	
Executive Direction.....	8,230	8,469	8,469	8,469	8,469	+239	---	---	D	
Trust Funds.....	2,037	2,053	2,053	2,053	2,053	+16	---	---	TF	
Welfare to Work.....	4,680	2,393	2,393	2,393	2,393	-2,287	---	---	D	
Total, Program Administration.....	174,511	183,365	172,327	178,961	173,644	-867	+1,317	-5,317		
Federal Funds.....	120,635	115,824	115,824	115,824	115,824	-4,811	---	---		
Trust Funds.....	53,876	67,541	56,503	63,137	57,820	+3,944	+1,317	-5,317		
Total, Employment and Training Administration...	10,847,559	11,027,534	11,110,147	11,187,607	11,190,132	+342,573	+79,985	+2,525		
Federal Funds	7,340,822	7,457,662	7,580,783	7,646,438	7,665,451	+324,629	+84,668	+19,013		
Current Year.....	(4,877,822)	(4,994,662)	(5,117,783)	(5,183,438)	(5,202,451)	(+324,629)	(+84,668)	(+19,013)		
FY 2005.....	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	---	---	---		
Trust Funds.....	3,506,737	3,569,872	3,529,364	3,541,169	3,524,681	+17,944	-4,683	-16,488		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
EMPLOYEE BENEFITS SECURITY ADMINISTRATION									
Enforcement and Compliance	91,526	106,679	106,679	100,000	103,340	+11,814	-3,339	+3,340	D
Policy, Regulation and Public Service	20,441	17,385	17,385	17,000	17,193	-3,248	-192	+193	D
Program Oversight	4,316	4,541	4,541	4,316	4,429	+113	-112	+113	D
Total, EBSA	116,283	128,605	128,605	121,316	124,962	+8,679	-3,643	+3,646	
PENSION BENEFIT GUARANTY CORPORATION									
Program Adm. subject to limitation (TF)	12,965	16,553	16,553	16,553	16,553	+3,588	---	---	TF
Termination services not subject to limitation (NA)	(179,844)	(212,219)	(212,219)	(212,219)	(212,219)	(+32,375)	---	---	NA
Total, PBGC	12,965	16,553	16,553	16,553	16,553	+3,588	---	---	
Total, PBGC (Program level)	(192,809)	(228,772)	(228,772)	(228,772)	(228,772)	(+35,963)	---	---	
EMPLOYMENT STANDARDS ADMINISTRATION									
SALARIES AND EXPENSES									
Enforcement of Wage and Hour Standards	155,867	161,294	161,294	161,294	161,294	+5,427	---	---	D
Office of Labor-Management Standards	34,279	40,631	40,631	37,119	38,875	+4,596	-1,756	+1,756	D
Federal Contractor EEO Standards Enforcement	78,033	80,043	80,043	80,043	80,043	+2,010	---	---	D
Federal Programs for Workers' Compensation	96,692	98,161	98,161	96,692	97,427	+735	-734	+735	D
Trust Funds	2,016	2,056	2,056	2,016	2,036	+20	-20	+20	TF
Program Direction and Support	14,226	15,568	15,568	14,897	15,233	+1,007	-335	+336	D
Total, ESA salaries and expenses	381,113	397,753	397,753	392,061	394,908	+13,795	-2,845	+2,847	
Federal Funds	379,097	395,697	395,697	390,045	392,872	+13,775	-2,825	+2,827	
Trust Funds	2,016	2,056	2,056	2,016	2,036	+20	-20	+20	
SPECIAL BENEFITS									
Federal employees compensation benefits	160,000	160,000	160,000	160,000	160,000	---	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Longshore and harbor workers' benefits	3,000	3,000	3,000	3,000	3,000	---	---	---	M
Total, Special Benefits	163,000	163,000	163,000	163,000	163,000	---	---	---	
SPECIAL BENEFITS FOR DISABLED COAL MINERS 2/									
Benefit payments	402,089	390,848	390,848	390,848	390,848	-11,241	---	---	M
Administration	6,088	6,152	6,152	6,152	6,152	+64	---	---	M
Subtotal, Black Lung, FY 2004 program level	408,177	397,000	397,000	397,000	397,000	-11,177	---	---	
Less funds advanced in prior year	-108,000	-97,000	-97,000	-97,000	-97,000	+11,000	---	---	M
Total, Black Lung, current request, FY04	300,177	300,000	300,000	300,000	300,000	-177	---	---	
New advances, 1st quarter FY 2005	97,000	88,000	88,000	88,000	88,000	-9,000	---	---	M
Total, Special Benefits for Disabled Coal Miners	397,177	388,000	388,000	388,000	388,000	-9,177	---	---	
ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND									
Program Benefits	(758,000)	(385,000)	(385,000)	(385,000)	(385,000)	(-373,000)	---	---	NA
Administrative Expenses	104,867	55,074	55,074	55,074	55,074	-49,793	---	---	M
Total, Energy Emp Occupational Illness Comp Fund	104,867	55,074	55,074	55,074	55,074	-49,793	---	---	
BLACK LUNG DISABILITY TRUST FUND									
Benefit payments and interest on advances	979,371	986,901	986,901	986,901	986,901	+7,530	---	---	M
Employment Standards Adm. S&E	31,987	32,004	32,004	32,004	32,004	+17	---	---	M
Departmental Management S&E	22,952	23,401	23,401	23,401	23,401	+449	---	---	M
Departmental Management, Inspector General	334	338	338	338	338	+4	---	---	M
Subtotal, Black Lung Disablty	1,034,644	1,042,644	1,042,644	1,042,644	1,042,644	+8,000	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Treasury Adm. Costs	356	356	356	356	356	---	---	---	M
Total, Black Lung Disability Trust Fund	1,035,000	1,043,000	1,043,000	1,043,000	1,043,000	+8,000	---	---	
Total, Employment Standards Administration	2,081,157	2,046,827	2,046,827	2,041,135	2,043,982	-37,175	-2,845	+2,847	
Federal Funds	2,079,141	2,044,771	2,044,771	2,039,119	2,041,946	-37,195	-2,825	+2,827	
Current year	(1,982,141)	(1,956,771)	(1,956,771)	(1,951,119)	(1,953,946)	(-28,195)	(-2,825)	(+2,827)	
FY 2005	(97,000)	(88,000)	(88,000)	(88,000)	(88,000)	(-9,000)	---	---	
Trust Funds	2,016	2,056	2,056	2,016	2,036	+20	-20	+20	
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Safety and Health Standards	16,014	14,497	14,497	16,494	16,014	---	+1,517	-480	D
Federal Enforcement	162,973	165,281	165,281	167,862	167,000	+4,027	+1,719	-862	D
State Programs	90,547	91,747	91,747	93,263	92,505	+1,958	+758	-758	D
Technical Support	20,102	21,721	21,721	21,721	21,721	+1,619	---	---	D
Compliance Assistance:									
Federal Assistance	61,321	67,447	67,447	67,447	67,447	+6,126	---	---	D
State Consultation Grants	53,204	52,521	52,521	53,204	52,521	-683	---	-683	D
Training Grants	11,102	4,000	4,000	11,175	11,102	---	+7,102	-73	D
Subtotal, Compliance Assistance	125,627	123,968	123,968	131,826	131,070	+5,443	+7,102	-756	D
Safety and Health Statistics	25,894	22,369	22,369	22,369	22,369	-3,525	---	---	D
Executive Direction and Administration	9,153	10,425	10,425	9,789	10,107	+954	-318	+318	D
Total, OSHA	450,310	450,008	450,008	463,324	460,786	+10,476	+10,778	-2,538	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
MINE SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Coal Enforcement	118,877	113,424	113,424	117,396	116,396	-2,481	+2,972	-1,000	D
Metal/Non-Metal Enforcement	63,495	66,377	66,377	66,377	66,377	+2,882	---	---	D
Standards Development	2,363	2,301	2,301	2,379	2,340	-23	+39	-39	D
Assessments	4,854	4,125	4,125	4,264	4,195	-659	+70	-69	D
Educational Policy and Development	27,733	30,536	30,536	30,536	30,536	+2,803	---	---	D
Technical Support	28,489	24,691	24,691	24,691	24,691	-3,798	---	---	D
Program evaluation and information resources (PEIR)	---	14,168	14,168	13,923	14,046	+14,046	-122	+123	D
Program Administration	17,210	11,145	11,145	11,145	12,245	-4,965	+1,100	+1,100	D
Mine Mapping	9,935	---	---	---	---	-9,935	---	---	D
Total, Mine Safety and Health Administration	272,956	266,767	266,767	270,711	270,826	-2,130	+4,059	+115	
BUREAU OF LABOR STATISTICS									
SALARIES AND EXPENSES									
Employment and Unemployment Statistics	147,330	149,605	149,605	161,515	161,515	+14,185	+11,910	---	D
Labor Market Information (Trust Funds)	71,561	75,110	75,110	75,110	75,110	+3,549	---	---	TF
Prices and Cost of Living	159,671	167,602	167,602	167,602	167,602	+7,931	---	---	D
Compensation and Working Conditions	75,925	80,169	80,169	76,285	78,227	+2,302	-1,942	+1,942	D
Productivity and Technology	9,860	10,404	10,404	10,339	10,372	+512	-32	+33	D
Executive Direction and Staff Services	27,886	29,372	29,372	29,372	29,372	+1,486	---	---	D
Total, Bureau of Labor Statistics	492,233	512,262	512,262	520,223	522,198	+29,965	+9,936	+1,975	
Federal Funds	420,672	437,152	437,152	445,113	447,088	+26,416	+9,936	+1,975	
Trust Funds	71,561	75,110	75,110	75,110	75,110	+3,549	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
OFFICE OF DISABILITY EMPLOYMENT POLICY									
Office of Disability Employment Policy	47,178	47,333	47,333	47,333	47,333	+155	---	---	D
DEPARTMENTAL MANAGEMENT									
SALARIES AND EXPENSES									
Executive Direction	26,296	28,260	28,260	26,296	27,278	+982	-982	+982	D
Departmental IT Crosscut	54,642	48,565	48,565	48,565	48,565	-6,077	---	---	D
Departmental Management Crosscut	---	23,500	---	10,000	5,000	+5,000	+5,000	-5,000	D
Legal Services	77,175	81,975	81,975	80,000	80,988	+3,813	-987	+988	D
Trust Funds	308	317	317	314	316	+8	-1	+2	TF
International Labor Affairs	147,053	12,270	12,270	108,000	110,650	-36,403	+98,380	+2,650	D
Administration and Management	33,673	32,391	34,391	32,391	33,391	-282	-1,000	+1,000	D
Adjudication	25,306	26,315	26,315	25,800	26,058	+752	-257	+258	D
Women's Bureau	9,608	8,626	9,608	8,926	9,267	-341	-341	+341	D
Civil Rights Activities	5,930	6,158	6,158	6,158	6,158	+228	---	---	D
Chief Financial Officer	7,850	5,159	5,159	5,159	5,159	-2,691	---	---	D
Total, Salaries and expenses	387,841	273,536	253,018	351,609	352,830	-35,011	+99,812	+1,221	
Federal Funds	387,533	273,219	252,701	351,295	352,514	-35,019	+99,813	+1,219	
Trust Funds	308	317	317	314	316	+8	-1	+2	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
VETERANS EMPLOYMENT AND TRAINING									
State Administration:									
Grants	---	162,415	162,415	---	162,415	+162,415	---	+162,415	TF
Disabled Veterans Outreach Program	82,078	---	---	83,481	---	-82,078	---	-83,481	TF
Local Veterans Employment Program	77,744	---	---	78,934	---	-77,744	---	-78,934	TF
Subtotal, State Administration	159,822	162,415	162,415	162,415	162,415	+2,593	---	---	
Federal Administration	27,489	29,028	29,028	29,028	29,028	+1,539	---	---	TF
National Veterans Training Institute	---	2,000	2,000	2,000	2,000	+2,000	---	---	TF
Homeless Veterans Program	18,131	19,000	19,000	19,000	19,000	+869	---	---	D
Veterans Workforce Investment Programs	7,377	7,550	7,550	7,550	7,550	+173	---	---	D FF
Total, Veterans Employment and Training	212,819	219,993	219,993	219,993	219,993	+7,174	---	---	
Federal Funds	25,508	26,550	26,550	26,550	26,550	+1,042	---	---	
Trust Funds	187,311	193,443	193,443	193,443	193,443	+6,132	---	---	
OFFICE OF THE INSPECTOR GENERAL									
Program Activities	56,291	60,896	60,896	59,291	60,094	+3,803	-802	+803	D
Trust Funds	5,561	5,899	5,899	5,561	5,730	+169	-169	+169	TF
Total, Office of the Inspector General	61,852	66,795	66,795	64,852	65,824	+3,972	-971	+972	
Federal funds	56,291	60,896	60,896	59,291	60,094	+3,803	-802	+803	
Trust funds	5,561	5,899	5,899	5,561	5,730	+169	-169	+169	
Total, Departmental Management	662,512	560,324	539,806	636,454	638,647	-23,865	+98,841	+2,193	
Federal Funds	469,332	360,665	340,147	437,136	439,158	-30,174	+99,011	+2,022	
Trust Funds	193,180	199,659	199,659	199,318	199,489	+6,309	-170	+171	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate
WORKING CAPITAL FUND								
Working capital fund	---	20,000	18,000	9,700	13,850	+13,850	-4,150	+4,150
Total, Title I, Department of Labor	14,983,153	15,076,213	15,136,308	15,314,356	15,329,269	+346,116	+192,961	+14,913
Federal Funds	11,196,694	11,212,963	11,313,566	11,480,190	11,511,400	+314,706	+197,834	+31,210
Current Year	(8,636,694)	(8,661,963)	(8,762,566)	(8,929,190)	(8,960,400)	(+323,706)	(+197,834)	(+31,210)
FY 2005	(2,560,000)	(2,551,000)	(2,551,000)	(2,551,000)	(2,551,000)	(-9,000)	---	---
Trust Funds	3,786,459	3,863,250	3,822,742	3,834,166	3,817,869	+31,410	-4,873	-16,297

Title I Footnotes:
1/ Two year availability.
2/ Transferred from SSA to DOL (P.L. 107-275).

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES									
HEALTH RESOURCES AND SERVICES ADMINISTRATION									
HEALTH RESOURCES AND SERVICES									
Community health centers	1,504,806	1,627,164	1,627,164	1,627,164	1,627,164	+122,358	---	---	D
Free Clinics Medical Malpractice	---	---	---	10,000	4,850	+4,850	+4,850	-5,150	D
National Health Service Corps:									
Field placements	45,948	45,305	45,948	45,948	45,948	---	---	---	D
Recruitment	125,140	167,542	125,140	125,140	125,140	---	---	---	D
Subtotal, National Health Service Corps	171,088	212,847	171,088	171,088	171,088	---	---	---	
Health Professions									
Training for Diversity:									
Centers of excellence	34,088	---	29,718	---	34,088	---	+4,370	+34,088	D
Health careers opportunity program	36,152	---	31,548	---	36,152	---	+4,604	+36,152	D
Faculty loan repayment	1,321	---	1,171	---	1,321	---	+150	+1,321	D
Scholarships for disadvantaged students	47,795	9,900	42,374	---	47,795	---	+5,421	+47,795	D
Subtotal, Training for Diversity	119,356	9,900	104,811	---	119,356	---	+14,545	+119,356	
Training in Primary Care Medicine and Dentistry	92,432	---	79,249	---	82,249	-10,183	+3,000	+82,249	D
Interdisciplinary Community-Based Linkages:									
Area health education centers	33,141	---	29,382	---	29,382	-3,759	---	+29,382	D
Health education and training centers	4,371	---	3,875	---	3,875	-496	---	+3,875	D
Allied health and other disciplines	11,922	---	11,922	---	11,922	---	---	+11,922	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Geriatric programs	27,818	---	32,000	---	32,000	+4,182	---	+32,000	D
Quentin N. Burdick pgm for rural training	6,954	---	6,165	---	6,165	-789	---	+6,165	D
Subtotal, Interdisciplinary Comm. Linkages	84,206	---	83,344	---	83,344	-862	---	+83,344	
Health Professions Workforce Info & Analysis	819	1,000	726	---	726	-93	---	+726	D
Public Health Workforce Development:									
Public health, preventive med. & dental pgms	10,405	---	9,225	---	9,225	-1,180	---	+9,225	D
Health administration programs	1,222	---	1,085	---	1,085	-137	---	+1,085	D
Subtotal, Public Health Workforce Development	11,627	---	10,310	---	10,310	-1,317	---	+10,310	
Nursing Programs:									
Advanced Education Nursing	50,174	26,548	50,174	---	59,000	+8,826	+8,826	+59,000	D
Nurse education, practice, and retention	26,824	24,202	26,824	---	31,963	+5,139	+5,139	+31,963	D
Nursing workforce diversity	9,935	20,564	9,935	---	16,500	+6,565	+6,565	+16,500	D
Loan repayment and scholarship program	19,870	26,900	19,870	---	26,900	+7,030	+7,030	+26,900	D
Comprehensive geriatric education	2,980	---	2,980	---	3,500	+520	+520	+3,500	D
Nursing faculty loan program	2,980	---	2,980	---	4,900	+1,920	+1,920	+4,900	D
Nursing Workforce Investment Act	---	---	---	50,000	---	---	---	-50,000	D
Subtotal, Nursing programs	112,763	98,214	112,763	50,000	142,763	+30,000	+30,000	+92,763	
Consolidated Health Professions	---	---	---	423,765	---	---	---	-423,765	D
Subtotal, Health Professions	421,203	109,114	391,203	473,765	438,748	+17,545	+47,545	-35,017	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Other HRSA Programs:									
Hansen's Disease Services	18,024	17,570	17,570	17,570	17,570	-454	---	---	D
Maternal & Child Health Block Grant	730,715	750,831	732,965	731,565	734,265	+3,550	+1,300	+2,700	D
Heritable disorders newborn screening	---	---	---	2,000	---	---	---	-2,000	D
Abstinence Education	54,642	73,044	65,000	73,044	70,488	+15,846	+5,488	-2,556	D
Evaluation Tap Funding	---	---	---	---	(4,500)	(+4,500)	(+4,500)	(+4,500)	NA
Healthy Start	98,346	98,729	98,346	98,346	98,346	---	---	---	D
Universal Newborn Hearing	9,935	---	9,935	9,935	9,935	---	---	---	D
Organ Transplantation	24,828	24,924	24,828	24,828	24,828	---	---	---	D
Cord Blood Stem Cell Bank	---	---	---	10,000	10,000	+10,000	+10,000	---	D
Bone Marrow Program	21,891	22,013	22,891	21,891	22,891	+1,000	---	+1,000	D
Rural outreach grants	57,660	37,752	57,410	39,850	39,850	-17,810	-17,560	---	D
Rural Health Research	10,630	5,984	8,000	9,935	8,968	-1,662	+968	-967	D
Telehealth	27,686	5,594	27,686	3,973	3,973	-23,713	-23,713	---	D
Rural Hospital Flexibility Grants	39,740	29,921	39,740	39,740	39,740	---	---	---	D
Rural and community access to emergency devices	---	---	---	---	11,000	+11,000	+11,000	+11,000	D
Rural Access to Emergency Devices	12,419	2,009	12,419	10,000	---	-12,419	-12,419	-10,000	D
Community access to emergency devices	---	---	---	2,000	---	---	---	-2,000	D
Rural EMS	---	---	---	1,000	500	+500	+500	-500	D
State Offices of Rural Health	8,445	3,990	4,000	8,445	8,445	---	+4,445	---	D
Denali Commission	27,321	---	---	40,000	35,000	+7,679	+35,000	-5,000	D
Emergency medical services for children	19,373	---	19,373	20,000	20,000	+627	+627	---	D
Poison control	22,354	---	22,354	23,854	23,854	+1,500	+1,500	---	D
Traumatic Brain Injury	9,438	7,479	9,438	9,438	9,438	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Black lung clinics	5,961	6,000	5,961	6,000	6,000	+39	+39	---	D
Trauma Care	3,476	---	3,476	3,476	3,476	---	---	---	D
Payment to Hawaii, treatment of Hansen's	2,032	2,045	2,032	2,045	2,045	+13	+13	---	D
Other HRSA programs - Current Year	1,204,916	1,087,885	1,183,424	1,208,935	1,200,612	-4,304	+17,188	-8,323	
Ryan White AIDS Programs:									
Emergency Assistance	618,693	618,881	618,693	618,693	618,693	---	---	---	D
Comprehensive Care Programs	1,053,393	1,077,027	1,091,344	1,077,027	1,092,384	+38,991	+1,040	+15,357	D
AIDS Drug Assistance Program (ADAP) (NA)	(714,326)	(739,000)	(753,317)	(739,000)	(753,317)	(+38,991)	---	(+14,317)	NA
Early Intervention Program	198,374	193,981	193,981	198,374	198,374	---	+4,393	---	D
Pediatric HIV/AIDS	73,551	70,917	70,917	73,551	73,551	---	+2,634	---	D
AIDS Dental Services	13,405	13,484	13,405	13,405	13,405	---	---	---	D
Education and Training Centers	35,549	35,259	35,259	35,549	35,549	---	+290	---	D
Subtotal, Ryan White AIDS programs	1,992,965	2,009,549	2,023,599	2,016,599	2,031,956	+38,991	+8,357	+15,357	
Evaluation Tap Funding (NA)	(25,000)	---	---	(25,000)	(25,000)	---	(+25,000)	---	
Subtotal, Ryan White AIDs program level	2,017,965	2,009,549	2,023,599	2,041,599	2,056,956	+38,991	+33,357	+15,357	
Family Planning	273,350	264,808	273,350	283,350	280,000	+6,650	+6,650	-3,350	D
Children's Hospitals Graduate Medical Education 1/	290,102	199,258	305,000	---	305,000	+14,898	---	+305,000	D
Health Care and Other Facilities	294,300	---	---	---	367,563	+73,263	+367,563	+367,563	D
Buildings and Facilities 2/	248	250	248	250	250	+2	+2	---	D
Radiation Exposure Compensation Act	1,987	4,006	1,987	1,987	1,987	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
National Practitioner Data Bank	19,500	17,000	19,500	17,000	17,000	-2,500	-2,500	---	D
User Fees	-19,500	-17,000	-19,500	-17,000	-17,000	+2,500	+2,500	---	D
Health Care Integrity and Protection Data Bank	5,600	4,000	5,600	4,000	4,000	-1,600	-1,600	---	D
User Fees	-5,600	-4,000	-5,600	-4,000	-4,000	+1,600	+1,600	---	D
Community Access Program	104,317	---	104,317	---	104,317	---	---	+104,317	D
State Planning Grants for Health Care Access	14,902	---	14,902	---	14,902	---	---	+14,902	D
Program Management	156,374	151,115	155,974	146,686	150,000	-6,374	-5,974	+3,314	D
Total, Health resources and services	6,430,558	5,665,996	6,252,256	5,939,824	6,698,437	+267,879	+446,181	+758,613	
Total, Health resources & services program level	(6,455,558)	(5,665,996)	(6,252,256)	(5,964,824)	(6,727,937)	(+272,379)	(+475,681)	(+763,113)	
Evaluation tap funding	(25,000)	---	---	(25,000)	(29,500)	(+4,500)	(+29,500)	(+4,500)	
HEALTH EDUCATION ASSISTANCE LOANS (HEAL) PROGRAM:									
Liquidating account	(7,000)	(4,000)	(7,000)	(4,000)	(4,000)	(-3,000)	(-3,000)	---	NA
Program management	3,889	3,389	3,389	3,389	3,389	-500	---	---	D
Total, HEAL	3,889	3,389	3,389	3,389	3,389	-500	---	---	
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:									
Post-FY 1988 claims	85,918	66,000	66,000	66,000	66,000	-19,918	---	---	M
HRSA administration	2,972	2,991	3,472	2,972	3,222	+250	-250	+250	D
Total, Vaccine Injury Compensation Trust Fund	88,890	68,991	69,472	68,972	69,222	-19,668	-250	+250	
Total, Health Resources and Services Admin.	6,523,337	5,738,376	6,325,117	6,012,185	6,771,048	+247,711	+445,931	+758,863	
Total, HRSA program level	(6,555,337)	(5,742,376)	(6,332,117)	(6,041,185)	(6,804,548)	(+249,211)	(+472,431)	(+763,363)	
CENTERS FOR DISEASE CONTROL									
Birth Defects/Developmental Disabilities/Disability and Health	98,040	87,462	106,339	110,639	113,513	+15,473	+7,174	+2,874	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Chronic Disease Prevention and Health Promotion	789,972	834,047	862,011	801,644	859,065	+69,093	-2,946	+57,221	D
Environmental Health	182,829	150,227	184,829	184,329	184,629	+1,800	-200	+300	D
Epidemic Services and Response	77,494	76,156	82,494	127,494	92,494	+15,000	+10,000	-35,000	D
Health Statistics	---	72,639	112,673	---	---	---	-112,673	---	D
Evaluation Tap Funding	(125,899)	(51,982)	(13,226)	(127,634)	(127,634)	(+1,735)	(+114,408)	---	NA
Subtotal, Program level	125,899	124,621	125,899	127,634	127,634	+1,735	+1,735	---	
HIV/AIDS, STD and TB Prevention	1,186,388	1,281,176	1,247,388	1,301,388	1,299,388	+113,000	+52,000	-2,000	D
Immunization	636,586	620,506	650,586	641,686	633,385	-3,201	-17,201	-8,301	D
Evaluation Tap Funding	(14,000)	---	---	(14,000)	(14,000)	---	(+14,000)	---	NA
Subtotal, Program level	650,586	620,506	650,586	655,686	647,385	-3,201	-3,201	-8,301	
Infectious Disease Control	359,225	331,640	382,226	372,760	372,503	+13,278	-9,723	-257	D
Injury Prevention and Control	148,414	144,796	152,414	152,409	154,632	+6,218	+2,218	+2,223	D
Occupational Safety and Health 3/	231,485	246,329	273,385	240,485	236,985	+5,500	-36,400	-3,500	D
Evaluation Tap Funding	(41,900)	---	---	(41,900)	(41,900)	---	(+41,900)	---	NA
Subtotal, Program level	273,385	246,329	273,385	282,385	278,885	+5,500	+5,500	-3,500	
Preventive Health and Health Services Block Grant	134,089	134,966	134,089	134,966	134,089	---	---	-877	D
Public Health Improvement	124,434	113,677	144,530	106,789	143,082	+18,648	-1,448	+36,293	D
Evaluation Tap Funding	(28,600)	---	---	(28,600)	(28,600)	---	(+28,600)	---	NA
Subtotal, Program level	153,034	113,677	144,530	135,389	171,682	+18,648	+27,152	+36,293	
Buildings and Facilities	266,258	114,000	206,000	260,000	262,000	-4,258	+56,000	+2,000	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Office of the Director	49,426	59,707	49,707	59,707	59,707	+10,281	+10,000	---	D
Total, Centers for Disease Control	4,284,640	4,267,330	4,588,671	4,494,496	4,545,472	+260,832	-43,199	+50,976	
Evaluation Tap Funding (NA)	(210,399)	(51,982)	(13,226)	(212,134)	(212,134)	(+1,735)	(+198,908)	---	
Total, Centers for Disease Control program level	(4,495,039)	(4,319,312)	(4,601,897)	(4,706,630)	(4,757,606)	(+262,567)	(+155,709)	(+50,976)	
NATIONAL INSTITUTES OF HEALTH									
National Cancer Institute	4,592,348	4,770,519	4,770,519	4,770,519	4,770,519	+178,171	---	---	D
National Heart, Lung, and Blood Institute	2,793,733	2,867,995	2,867,995	2,897,595	2,897,145	+103,412	+29,150	-450	D
National Institute of Dental & Craniofacial Research	371,636	382,396	382,396	386,396	385,796	+14,160	+3,400	-600	D
National Institute of Diabetes and Digestive and Kidney Diseases	1,622,730	1,670,007	1,670,007	1,683,007	1,682,457	+59,727	+12,450	-550	D
Juvenile diabetes	(100,000)	(150,000)	(150,000)	(150,000)	(150,000)	(+50,000)	---	---	
Subtotal, NIDDK	1,722,730	1,820,007	1,820,007	1,833,007	1,832,457	+109,727	+12,450	-550	D
National Institute of Neurological Disorders & Stroke	1,456,476	1,468,926	1,468,926	1,510,926	1,510,776	+54,300	+41,850	-150	D
National Institute of Allergy and Infectious Diseases	3,606,139	4,235,255	4,235,255	4,185,255	4,185,155	+579,016	-50,100	-100	D
Global HIV/AIDS Fund Transfer	100,000	100,000	100,000	150,000	150,000	+50,000	+50,000	---	D
Subtotal, NIAID	3,706,139	4,335,255	4,335,255	4,335,255	4,335,155	+629,016	-100	-100	D
National Institute of General Medical Sciences	1,847,000	1,923,133	1,923,133	1,917,033	1,916,333	+69,333	-6,800	-700	D
National Institute of Child Health & Human Development	1,205,927	1,245,371	1,245,371	1,251,185	1,250,585	+44,658	+5,214	-600	D
National Eye Institute	633,148	648,299	648,299	657,199	657,199	+24,051	+8,900	---	D
National Institute of Environmental Health Sciences	614,239	630,774	630,774	637,074	636,974	+22,735	+6,200	-100	D
National Institute on Aging	993,598	994,411	994,411	1,031,411	1,031,311	+37,713	+36,900	-100	D
National Institute of Arthritis and Musculoskeletal and Skin Diseases	486,143	502,778	502,778	505,000	504,300	+18,157	+1,522	-700	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
National Institute on Deafness and Other Communication Disorders	370,382	380,377	380,377	384,577	384,477	+14,095	+4,100	-100	D
National Institute of Nursing Research	130,584	134,579	134,579	135,579	135,555	+4,971	+976	-24	D
National Institute on Alcohol Abuse and Alcoholism	416,051	430,121	430,121	431,521	431,471	+15,420	+1,350	-50	D
National Institute on Drug Abuse	961,721	995,614	995,614	997,614	997,414	+35,693	+1,800	-200	D
National Institute of Mental Health	1,341,014	1,382,114	1,382,114	1,391,114	1,390,714	+49,700	+8,600	-400	D
National Human Genome Research Institute	464,995	478,072	478,072	482,372	482,222	+17,227	+4,150	-150	D
National Institute of Biomedical Imaging and Bioengineering	278,279	282,109	282,109	289,300	288,900	+10,621	+6,791	-400	D
National Center for Research Resources	1,138,821	1,053,926	1,053,926	1,186,483	1,186,183	+47,362	+132,257	-300	D
National Center for Complementary and Alternative Medicine	113,407	116,202	116,202	117,902	117,752	+4,345	+1,550	-150	D
National Center on Minority Health and Health Disparities	185,714	192,724	192,724	192,824	192,724	+7,010	---	-100	D
John E. Fogarty International Center	63,465	64,266	64,266	65,900	65,800	+2,335	+1,534	-100	D
National Library of Medicine	300,135	316,040	316,040	311,635	311,635	+11,500	-4,405	-200	D
Evaluation Tap Funding	(8,200)	---	---	(8,200)	(8,200)	---	(+8,200)	---	NA
Subtotal, NLM	308,335	316,040	316,040	320,035	319,835	+11,500	+3,795	-200	
Office of the Director	266,232	317,983	317,983	323,483	329,707	+63,475	+11,724	+6,224	D
Buildings and Facilities	628,687	80,000	80,000	89,500	89,500	-539,187	+9,500	---	D
Total, N.I.H. appropriations	26,982,604	27,663,991	27,663,991	27,982,604	27,982,604	+1,000,000	+318,613	---	
Global HIV/AIDS Fund Transfer	-100,000	-100,000	-100,000	-150,000	-150,000	-50,000	-50,000	---	NA
Evaluation Tap Funding	(8,200)	---	---	(8,200)	(8,200)	---	(+8,200)	---	NA
Total, N.I.H., Program Level	(26,890,804)	(27,563,991)	(27,563,991)	(27,840,804)	(27,840,804)	(+950,000)	(+276,813)	---	NA

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES									
Mental Health:									
Programs of Regional and National Significance....	244,443	211,757	237,000	237,667	242,379	-2,064	+5,379	+4,712	D
Mental Health Performance Partnership.....	437,140	433,000	435,000	415,290	415,290	-21,850	-19,710	---	D
Evaluation Tap Funding	---	---	---	(21,850)	(21,850)	(+21,850)	(+21,850)	---	NA
Children's Mental Health.....	98,052	106,694	108,000	98,052	103,026	+4,974	-4,974	+4,974	D
Grants to States for the Homeless (PATH).....	43,073	50,055	50,055	47,073	50,055	+6,982	---	+2,982	D
Protection and Advocacy.....	33,779	32,500	33,870	35,779	34,825	+1,046	+955	-954	D
Subtotal, Mental Health.....	856,487	834,006	863,925	833,861	845,575	-10,912	-18,350	+11,714	
Substance Abuse Treatment:									
Programs of Regional and National Significance....	317,278	556,816	417,278	327,071	421,975	+104,697	+4,697	+94,904	D
Substance Abuse Performance Partnership.....	1,691,732	1,785,000	1,774,538	1,724,732	1,710,035	+18,303	-64,503	-14,697	D
Evaluation Tap Funding	(62,200)	---	---	(79,200)	(79,200)	(+17,000)	(+79,200)	---	NA
Subtotal, Substance Abuse Treatment.....	2,009,010	2,341,816	2,191,816	2,051,803	2,132,010	+123,000	-59,806	+80,207	
Subtotal, Program level.....	2,071,210	2,341,816	2,191,816	2,131,003	2,211,210	+140,000	+19,394	+80,207	
Substance Abuse Prevention:									
Programs of Regional and National Significance....	197,111	148,186	198,000	194,306	199,763	+2,652	+1,763	+5,457	D
Program Management and Buildings and Facilities.....	73,983	69,307	75,259	77,570	76,415	+2,432	+1,156	-1,155	D
Evaluation Tap funding (NA).....	(12,000)	(16,000)	(16,000)	(16,000)	(16,000)	(+4,000)	---	---	NA
Subtotal, Program level.....	85,983	85,307	91,259	93,570	92,415	+6,432	+1,156	-1,155	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
St. Elizabeths	949	---	---	---	---	-949	---	---	D
Total, Substance Abuse and Mental Health	3,137,540	3,393,315	3,329,000	3,157,540	3,253,763	+116,223	-75,237	+96,223	D
Evaluation Tap funding	(74,200)	(16,000)	(16,000)	(117,050)	(117,050)	(+42,850)	(+101,050)	---	
Total, SAMHS program level	(3,211,740)	(3,409,315)	(3,345,000)	(3,274,590)	(3,370,813)	(+159,073)	(+25,813)	(+96,223)	
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY									
Research on Health Costs, Quality, and Outcomes:									
Federal Funds	---	---	---	---	---	---	---	---	D
Evaluation Tap funding (NA)	(247,695)	(221,000)	(245,695)	(245,695)	(245,695)	(-2,000)	---	---	NA
Health Coverage Data Improvement (CPS)	---	(10,000)	---	---	---	---	---	---	NA
Reducing medical errors (non-add)	(55,000)	(84,000)	(75,000)	(84,000)	(79,500)	(+24,500)	(+4,500)	(-4,500)	NA
Subtotal including Evaluation Tap funds	(247,695)	(221,000)	(245,695)	(245,695)	(245,695)	(-2,000)	---	---	
Health Insurance and Expenditure Surveys:									
Evaluation Tap funding (NA)	(53,300)	(55,300)	(55,300)	(55,300)	(55,300)	(+2,000)	---	---	NA
Program Support	---	---	---	---	---	---	---	---	D
Evaluation Tap funding (NA)	(2,700)	(2,700)	(2,700)	(2,700)	(2,700)	---	---	---	NA
Total, AHRQ	(303,695)	(279,000)	(303,695)	(303,695)	(303,695)	---	---	---	
Federal Funds	---	---	---	---	---	---	---	---	
Evaluation Tap funding (NA)	(303,695)	(279,000)	(303,695)	(303,695)	(303,695)	---	---	---	
Total, Public Health Service appropriation	40,928,121	41,063,012	41,906,779	41,646,825	42,552,887	+1,624,766	+646,108	+906,062	
Total, Public Health Service program level	(41,456,615)	(41,313,994)	(42,146,700)	(42,166,904)	(43,077,466)	(+1,620,851)	(+930,766)	(+910,562)	
CENTER FOR MEDICARE AND MEDICAID SERVICES									
GRANTS TO STATES FOR MEDICAID									
Medicaid current law benefits	148,726,168	166,706,067	172,706,067	166,706,067	172,706,067	+23,979,899	---	+6,000,000	M
State and local administration	9,142,049	9,067,320	9,067,320	9,067,320	9,067,320	-74,729	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Vaccines for Children	823,938	980,196	980,196	980,196	980,196	+156,258	---	---	M
Subtotal, Medicaid program level	158,692,155	176,753,583	182,753,583	176,753,583	182,753,583	+24,061,428	---	+6,000,000	
Less funds advanced in prior year	-46,601,937	-51,861,386	-51,861,386	-51,861,386	-51,861,386	-5,259,449	---	---	M
Total, Grants to States for medicaid	112,090,218	124,892,197	130,892,197	124,892,197	130,892,197	+18,801,979	---	+6,000,000	
New advance, 1st quarter	51,861,386	58,416,275	58,416,275	58,416,275	58,416,275	+6,554,889	---	---	M
PAYMENTS TO HEALTH CARE TRUST FUNDS									
Supplemental medical insurance	80,905,000	94,518,000	94,518,000	94,518,000	94,518,000	+13,613,000	---	---	M
Hospital insurance for the uninsured	225,000	197,000	197,000	197,000	197,000	-28,000	---	---	M
Federal uninsured payment	168,000	168,000	168,000	168,000	168,000	---	---	---	M
Program management	164,700	201,100	201,100	201,100	201,100	+36,400	---	---	M
Total, Payments to Trust Funds, current law	81,462,700	95,084,100	95,084,100	95,084,100	95,084,100	+13,621,400	---	---	
PROGRAM MANAGEMENT									
Research, Demonstration, Evaluation: Regular Program	73,712	63,400	27,918	67,400	78,791	+5,079	+50,873	+11,391	TF
Medicare Operations	1,666,680	1,776,889	1,776,889	1,776,889	1,722,889	+56,209	-54,000	-54,000	TF
H.R. 3103 funding (NA)	(720,000)	(720,000)	(720,000)	(720,000)	(720,000)	---	---	---	NA
Subtotal, Medicare Operations program level	(2,386,680)	(2,496,889)	(2,496,889)	(2,496,889)	(2,442,889)	(+56,209)	(-54,000)	(-54,000)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Revitalization plan	---	65,000	65,000	30,000	30,000	+30,000	-35,000	---	TF
State Survey and Certification	252,743	247,647	247,647	252,743	252,743	---	+5,096	---	TF
Federal Administration	571,756	580,571	580,571	580,571	580,571	+8,815	---	---	TF
Total, Program management, Limitation on new BA	2,564,891	2,733,507	2,698,025	2,707,603	2,664,994	+100,103	-33,031	-42,609	TF
Total, Program management, program level	(3,284,891)	(3,453,507)	(3,418,025)	(3,427,603)	(3,384,994)	(+100,103)	(-33,031)	(-42,609)	
Total, Center for Medicare and Medicaid Services	247,979,195	281,126,079	287,090,597	281,100,175	287,057,566	+39,078,371	-33,031	+5,957,391	
Federal funds	245,414,304	278,392,572	284,392,572	278,392,572	284,392,572	+38,978,268	---	+6,000,000	
Current year	(193,552,918)	(219,976,297)	(225,976,297)	(219,976,297)	(225,976,297)	(+32,423,379)	---	(+6,000,000)	
New advance, 1st quarter, FY 2005	(51,861,386)	(58,416,275)	(58,416,275)	(58,416,275)	(58,416,275)	(+6,554,889)	---	---	
Trust Funds	2,564,891	2,733,507	2,698,025	2,707,603	2,664,994	+100,103	-33,031	-42,609	
ADMINISTRATION FOR CHILDREN AND FAMILIES									
FAMILY SUPPORT PAYMENTS TO STATES									
Payments to territories	23,000	23,000	23,000	23,000	23,000	---	---	---	M
Repatriation	1,000	1,000	1,000	1,000	1,000	---	---	---	M
Subtotal, Welfare payments	24,000	24,000	24,000	24,000	24,000	---	---	---	
Child Support Enforcement:									
State and local administration	3,541,800	4,035,270	4,035,270	4,084,270	4,084,270	+542,470	+49,000	---	M
Federal incentive payments	461,000	454,000	454,000	454,000	454,000	-7,000	---	---	M
Hold Harmless payments	---	---	---	---	---	---	---	---	M
Access and visitation	10,000	12,000	12,000	10,000	10,000	---	-2,000	---	M
Subtotal, Child Support Enforcement	4,012,800	4,501,270	4,501,270	4,548,270	4,548,270	+535,470	+47,000	---	
Total, Payments, FY 2004 program level	4,036,800	4,525,270	4,525,270	4,572,270	4,572,270	+535,470	+47,000	---	
Less funds advanced in previous years	-1,100,000	-1,100,000	-1,100,000	-1,100,000	-1,100,000	---	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Total, Payments, current request	2,936,800	3,425,270	3,425,270	3,472,270	3,472,270	+535,470	+47,000	---	
Plus New advance, 1st quarter, FY 2005	1,100,000	1,200,000	1,200,000	1,200,000	1,200,000	+100,000	---	---	M
Total, Payments	4,036,800	4,625,270	4,625,270	4,672,270	4,672,270	+635,470	+47,000	---	
LOW INCOME HOME ENERGY ASSISTANCE									
Formula grants	1,688,950	1,700,000	1,700,000	2,000,000	1,800,000	+111,050	+100,000	-200,000	D
Emergency allocation:									
Contingent non-emergency funding	---	300,000	100,000	---	100,000	+100,000	---	+100,000	D
Contingent emergency funding	---	---	---	---	---	---	---	---	D
Total, Low income home energy assistance	1,688,950	2,000,000	1,800,000	2,000,000	1,900,000	+211,050	+100,000	-100,000	
REFUGEE AND ENTRANT ASSISTANCE									
Transitional and Medical Services	219,853	200,193	200,193	180,000	170,000	-49,853	-30,193	-10,000	D
Victims of Trafficking	9,935	10,000	10,000	9,935	9,968	+33	-32	+33	D
Social Services	150,139	153,121	153,121	140,000	153,121	+2,982	---	+13,121	D
Preventive Health	4,804	4,835	4,835	4,804	4,820	+16	-15	+16	D
Targeted Assistance	49,155	49,477	49,477	49,155	49,316	+161	-161	+161	D
Unaccompanied minors	34,227	34,000	34,227	34,227	53,083	+18,856	+18,856	+18,856	D
Victims of Torture	9,935	10,000	10,000	9,935	9,968	+33	-32	+33	D
Total, Refugee and entrant assistance	478,048	461,626	461,853	428,056	450,276	-27,772	-11,577	+22,220	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
CHILD CARE AND DEVELOPMENT BLOCK GRANT	2,086,344	2,099,729	2,099,729	2,099,729	2,099,729	+13,385	---	---	D
SOCIAL SERVICES BLOCK GRANT (TITLE XX)	1,700,000	1,700,000	1,700,000	1,700,000	1,700,000	---	---	---	M
CHILDREN AND FAMILIES SERVICES PROGRAMS									
Programs for Children, Youth and Families:									
Head Start, current funded	5,267,533	5,415,570	5,415,570	5,415,570	5,415,570	+148,037	---	---	D
Advance from prior year	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	---	---	---	NA
FY 2005	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000	---	---	---	D
Subtotal, Head Start, program level	6,667,533	6,815,570	6,815,570	6,815,570	6,815,570	+148,037	---	---	
Consolidated Runaway, Homeless Youth Prog	89,978	88,043	88,043	89,978	89,978	---	+1,935	---	D
Maternity Group Homes	---	10,000	---	---	---	---	---	---	D
Prevention grants to reduce abuse of runaway youth	15,399	14,999	14,999	15,399	15,399	---	+400	---	D
Child Abuse State Grants	21,870	22,013	22,013	22,013	22,013	+143	---	---	D
Child Abuse Discretionary Activities	33,845	26,301	26,301	28,401	34,623	+778	+8,322	+6,222	D
Abandoned Infants Assistance	12,126	12,086	12,086	12,126	12,126	---	+40	---	D
Child Welfare Services	290,088	291,986	291,986	290,088	291,037	+949	-949	+949	D
Child Welfare Training	7,449	7,470	7,470	7,449	7,460	+11	-10	+11	D
Adoption Opportunities	27,227	27,343	27,343	27,227	27,285	+58	-58	+58	D
Adoption Incentive (no cap adjustment)	42,720	43,000	43,000	42,720	7,500	-35,220	-35,500	-35,220	D
Adoption Awareness	12,822	12,906	12,906	12,822	12,864	+42	-42	+42	D
Compassion Capital Fund	34,772	100,000	50,000	34,772	48,000	+13,228	-2,000	+13,228	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Social Services and Income Maintenance Research.....	28,749	5,982	5,982	25,812	12,767	-15,982	+6,785	-13,045	D
Evaluation tap funding.....	(6,000)	---	---	(6,000)	(6,000)	---	(+6,000)	---	
Subtotal, Program level.....	34,749	5,982	5,982	31,812	18,767	-15,982	+12,785	-13,045	
Community Based Resource Centers.....	33,200	33,403	33,403	33,412	33,403	+203	---	-9	D
Developmental Disabilities Program:									
State Councils.....	71,135	69,800	71,500	73,515	73,515	+2,380	+2,015	---	D
Protection and Advocacy.....	36,263	35,000	36,500	38,644	38,644	+2,381	+2,144	---	D
Disabled voter services.....	15,000	---	15,000	15,000	15,000	---	---	---	
Developmental Disabilities Special Projects.....	12,403	11,642	12,500	11,642	11,642	-761	-858	---	D
Developmental Disabilities University Affiliated..	24,962	24,000	25,000	26,962	26,962	+2,000	+1,962	---	D
Subtotal, Developmental disabilities.....	159,763	140,442	160,500	165,763	165,763	+6,000	+5,263	---	
Native American Programs.....	45,457	45,119	45,119	45,457	45,457	---	+338	---	D
Community Services:									
Grants to States for Community Services.....	645,762	494,964	494,964	645,762	645,762	---	+150,798	---	D
Community Initiative Program:									
Economic Development.....	32,546	32,436	32,436	32,546	32,546	---	+110	---	D
Individual Development Account Initiative.....	24,828	24,912	24,912	24,828	24,870	+42	-42	+42	D
Rural Community Facilities.....	7,203	---	7,250	7,203	7,227	+24	-23	+24	D
Subtotal, Community Initiative Program.....	64,577	57,348	64,598	64,577	64,643	+66	+45	+66	
National Youth Sports.....	18,889	---	18,000	---	18,000	+1,111	---	+18,000	D
Community Food and Nutrition.....	7,281	---	---	7,281	7,281	---	+7,281	---	D
Subtotal, Community Services.....	734,509	552,312	577,562	717,620	735,686	+1,177	+158,124	+18,066	
Domestic Violence Hotline.....	2,562	3,000	3,000	3,000	3,000	+438	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Battered Women's Shelters	126,403	124,423	126,403	126,403	126,403	---	---	---	D
Early Learning Fund	33,779	---	---	33,779	33,779	---	+33,779	---	D
Faith-Based Center	1,490	1,400	1,400	1,400	1,400	-90	---	---	D
Mentoring Children of Prisoners	9,935	50,000	25,000	9,935	50,000	+40,065	+25,000	+40,065	D
Independant Living Training Vouchers	41,727	60,000	45,000	41,727	45,000	+3,273	---	+3,273	D
Promoting Responsible Fatherhood	---	20,000	---	---	---	---	---	---	D
Program Direction	171,873	179,584	179,584	179,584	179,584	+7,711	---	---	D
Total, Children and Families Services Programs	8,645,276	8,687,382	8,614,670	8,782,457	8,816,097	+170,821	+201,427	+33,640	
Current Year	(7,245,276)	(7,287,382)	(7,214,670)	(7,382,457)	(7,416,097)	(+170,821)	(+201,427)	(+33,640)	
FY 2005	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	---	---	---	
Evaluation Tap funding	(6,000)	---	---	(6,000)	(6,000)	---	(+6,000)	---	
PROMOTING SAFE AND STABLE FAMILIES	305,000	305,000	305,000	305,000	305,000	---	---	---	M
Discretionary Funds	99,350	199,978	100,000	99,350	100,000	+650	---	+650	D
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION									
Foster Care	4,884,500	4,974,200	4,974,200	4,974,200	4,974,200	+89,700	---	---	M
Adoption Assistance	1,584,500	1,699,700	1,699,700	1,699,700	1,699,700	+115,200	---	---	M
Independent living	140,000	140,000	140,000	140,000	140,000	---	---	---	M
Total, Payments to States	6,609,000	6,813,900	6,813,900	6,813,900	6,813,900	+204,900	---	---	
Less Advances from Prior Year	-1,754,000	-1,745,600	-1,745,600	-1,745,600	-1,745,600	+8,400	---	---	M
Total, payments, current request	4,855,000	5,068,300	5,068,300	5,068,300	5,068,300	+213,300	---	---	
New Advance, 1st quarter	1,745,600	1,767,700	1,767,700	1,767,700	1,767,700	+22,100	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Total, Administration for Children & Families.	25,640,368	26,914,985	26,542,522	26,922,862	26,879,372	+1,239,004	+336,850	-43,490	
Current year	(21,394,768)	(22,547,285)	(22,174,822)	(22,555,162)	(22,511,672)	(+1,116,904)	(+336,850)	(-43,490)	
FY 2005	(4,245,600)	(4,367,700)	(4,367,700)	(4,367,700)	(4,367,700)	(+122,100)	---	---	
ADMINISTRATION ON AGING									
Grants to States:									
Supportive Services and Centers	355,673	357,000	357,000	355,673	356,000	+327	-1,000	+327	D
Preventive Health	21,919	21,562	21,919	21,919	21,919	---	---	---	D
Title VII	18,559	17,681	18,559	19,559	19,559	+1,000	+1,000	---	D
Family Caregivers	149,025	141,500	162,000	149,025	153,645	+4,620	-8,355	+4,620	D
Native American Caregivers Support	6,209	---	6,500	6,209	6,355	+146	-145	+146	D
Subtotal, Caregivers	155,234	141,500	168,500	155,234	160,000	+4,766	-8,500	+4,766	
Nutrition:									
Congregate Meals	384,592	390,000	390,000	387,292	388,646	+4,054	-1,354	+1,354	D
Home Delivered Meals	180,985	178,500	180,985	180,985	180,985	---	---	---	D
Nutrition Services Incentive Program	148,697	149,670	149,670	148,697	149,073	+376	-597	+376	D
Subtotal, Nutrition	714,274	718,170	720,655	716,974	718,704	+4,430	-1,951	+1,730	
Subtotal, Grants to States	1,265,659	1,255,913	1,286,633	1,269,359	1,276,182	+10,523	-10,451	+6,823	
Grants to Native Americans	27,495	25,729	25,729	27,495	26,612	-883	+883	-883	D
Aging Research, Training and Special Projects	40,258	27,837	30,837	17,843	33,223	-7,035	+2,386	+15,380	D
Aging Network Support Activities	2,364	2,379	2,379	13,373	13,373	+11,009	+10,994	---	D
Alzheimer's Initiative	13,412	11,500	11,500	12,412	11,956	-1,456	+456	-456	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
White House Conference on Aging	---	2,842	2,842	2,842	2,842	+2,842	---	---	D
Program Administration	17,869	17,501	17,501	17,869	17,501	-368	---	-368	D
Total, Administration on Aging	1,367,057	1,343,701	1,377,421	1,361,193	1,381,689	+14,632	+4,268	+20,496	
OFFICE OF THE SECRETARY									
GENERAL DEPARTMENTAL MANAGEMENT:									
Federal Funds	159,811	172,541	167,300	168,106	176,404	+16,593	+9,104	+8,298	D
Trust Funds	5,813	5,851	5,813	5,851	5,851	+38	+38	---	TF
Subtotal	(165,624)	(178,392)	(173,113)	(173,957)	(182,255)	(+16,631)	(+9,142)	(+8,298)	
Evaluation tap funding (ASPE) (NA)	(21,552)	(21,552)	(21,552)	(21,552)	(21,552)	---	---	---	NA
Adolescent Family Life (Title XX)	30,922	31,241	30,922	31,241	31,241	+319	+319	---	D
Minority health	56,224	47,010	48,329	50,740	55,685	-539	+7,356	+4,945	D
Office of women's health	28,658	28,908	28,658	29,721	29,190	+532	+532	-531	D
Minority HIV/AIDS	49,675	50,000	49,675	50,000	49,838	+163	+163	-162	D
IT Security and Innovation Fund	19,870	18,400	18,400	15,000	15,000	-4,870	-3,400	---	D
Total, General Departmental Management	350,973	353,951	349,097	350,659	363,209	+12,236	+14,112	+12,550	
Federal Funds	345,160	348,100	343,284	344,808	357,358	+12,198	+14,074	+12,550	
Trust Funds	5,813	5,851	5,813	5,851	5,851	+38	+38	---	
OFFICE OF THE INSPECTOR GENERAL:									
Federal Funds	36,808	39,497	39,497	39,497	39,497	+2,689	---	---	D
HIPAA funding (NA)	(160,000)	(160,000)	(160,000)	(160,000)	(160,000)	---	---	---	NA
Total, Inspector General program level	(196,808)	(199,497)	(199,497)	(199,497)	(199,497)	(+2,689)	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
OFFICE FOR CIVIL RIGHTS:									
Federal Funds	30,131	30,936	30,936	30,936	30,936	+805	---	---	D
Trust Funds	3,292	3,314	3,314	3,314	3,314	+22	---	---	TF
Total, Office for Civil Rights	33,423	34,250	34,250	34,250	34,250	+827	---	---	
POLICY RESEARCH:									
Federal Funds	2,483	2,499	2,483	---	---	-2,483	-2,483	---	D
Evaluation Tap funding (NA)	(18,000)	(21,000)	(18,000)	(23,499)	(20,750)	(+2,750)	(+2,750)	(-2,749)	NA
Total, Policy Research	20,483	23,499	20,483	23,499	20,750	+267	+267	-2,749	
MEDICAL BENEFITS FOR COMMISSIONED OFFICERS									
Retirement payments	218,984	234,000	234,000	234,000	234,000	+15,016	---	---	M
Survivors benefits	14,102	15,001	15,001	15,001	15,001	+899	---	---	M
Dependents' medical care	76,931	54,391	80,867	80,867	80,867	+3,936	---	---	M
Total, Medical benefits for Com Officers (indef)	310,017	303,392	329,868	329,868	329,868	+19,851	---	---	
Comm. Corps Medicare Elig. Healthcare Accrual	---	12,973	---	---	---	---	---	---	D
Total, Medical benefits for comm. officers	310,017	316,365	329,868	329,868	329,868	+19,851	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
PUBLIC HEALTH AND SOCIAL SERVICE EMERGENCY FUND									
HRSA Homeland security activities	584,451	618,173	545,870	578,064	545,870	-38,581	---	-32,194	D
CDC Homeland security activities	1,235,424	1,116,156	1,116,156	1,116,156	1,116,156	-119,268	---	---	D
AHRQ Homeland security activities	4,967	---	---	---	---	-4,967	---	---	D
Office of the Secretary Homeland sercurity activities	62,405	61,820	64,820	61,820	64,820	+2,415	---	+3,000	D
Other PHSSEF Homeland security activities	---	100,000	50,000	100,000	50,000	+50,000	---	-50,000	D
Total, PHSSEF	1,887,247	1,896,149	1,776,846	1,856,040	1,776,846	-110,401	---	-79,194	
Total, Office of the Secretary	2,620,951	2,642,711	2,532,041	2,610,314	2,543,670	-77,281	+11,629	-66,644	
Federal Funds	2,611,846	2,633,546	2,522,914	2,601,149	2,534,505	-77,341	+11,591	-66,644	
Trust Funds	9,105	9,165	9,127	9,165	9,165	+60	+38	---	
Total, Title II, Dept of Health & Human Services	318,535,692	353,090,488	359,449,360	353,641,369	360,415,184	+41,879,492	+965,824	+6,773,815	
Federal Funds	315,961,696	350,347,816	356,742,208	350,924,601	357,741,025	+41,779,329	+998,817	+6,816,424	
Current year	(259,854,710)	(287,563,841)	(293,958,233)	(288,140,626)	(294,957,050)	(+35,102,340)	(+998,817)	(+6,816,424)	
FY 2005	(56,106,986)	(62,783,975)	(62,783,975)	(62,783,975)	(62,783,975)	(+6,676,989)	---	---	
Trust Funds	2,573,996	2,742,672	2,707,152	2,716,768	2,674,159	+100,163	-32,993	-42,609	

Title II Footnotes:
1/ Senate displays Children's GME as part of Consolidated Health Professions.
2/ Total provided in Senate bill is $2,000 less due to a bill language discrepancy.
3/ Includes Mine Safety and Health.

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
TITLE III - DEPARTMENT OF EDUCATION										
EDUCATION FOR THE DISADVANTAGED										
Grants to Local Educational Agencies (LEAs)										
Basic Grants										
Advance from prior year 1/	(4,011,272)	(4,255,272)	(2,011,272)	(2,011,272)	(2,011,272)	(-2,000,000)	---	---	NA	
Forward funded	2,848,533	5,158,199	5,158,199	5,158,199	5,220,199	+2,371,666	+62,000	+62,000	D	FF
Current funded	3,477	3,500	3,500	3,500	3,500	+23	---	---	D	
Subtotal, Basic grants current year approp.	2,852,010	5,161,699	5,161,699	5,161,699	5,223,699	+2,371,689	+62,000	+62,000	D	
Subtotal, Basic grants total funds available	(6,863,282)	(9,416,971)	(7,172,971)	(7,172,971)	(7,234,971)	(+371,689)	(+62,000)	(+62,000)		
Basic Grants FY 2005 Advance	4,255,272	2,011,272	2,011,272	1,945,583	1,883,584	-2,371,688	-127,688	-61,999	D	
Subtotal, Basic grants, program level	7,107,282	7,172,971	7,172,971	7,107,282	7,107,283	+1	-65,688	+1		
Concentration Grants										
Advance from prior year	(1,365,031)	(1,365,031)	(1,365,031)	(1,365,031)	(1,365,031)	---	---	---	NA	
FY 2005 Advance	1,365,031	1,365,031	1,365,031	1,365,031	1,365,031	---	---	---	D	
Subtotal, Concentration Grants program level	1,365,031	1,365,031	1,365,031	1,365,031	1,365,031	---	---	---		
Targeted Grants										
Advance from prior year	(1,018,499)	(1,670,239)	(1,670,239)	(1,670,239)	(1,670,239)	(+651,740)	---	---	NA	
FY 2005 Advance	1,670,239	3,018,499	3,018,499	1,670,239	1,969,843	+299,604	-1,048,656	+299,604	D	
Subtotal, Targeted Grants program level	1,670,239	3,018,499	3,018,499	1,670,239	1,969,843	+299,604	-1,048,656	+299,604		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
Education Finance Incentive Grants										
Advance from prior year	(793,499)	(1,541,759)	(1,541,759)	(1,541,759)	(1,541,759)	(+748,260)	---	---	NA	
FY 2005 Advance	1,541,759	793,499	793,499	2,207,448	1,969,843	+428,084	+1,176,344	-237,605	D	
Subtotal, Education Finance Incentive Grants	1,541,759	793,499	793,499	2,207,448	1,969,843	+428,084	+1,176,344	-237,605		
Subtotal, Grants to LEAs, program level	11,684,311	12,350,000	12,350,000	12,350,000	12,412,000	+727,689	+62,000	+62,000		
Even Start	248,375	175,000	250,000	175,000	248,375	---	-1,625	+73,375	D	FF
Reading First:										
State Grants (forward funded)	798,500	855,000	855,000	805,000	835,000	+36,500	-20,000	+30,000	D	FF
Advance from prior year	(195,000)	(195,000)	(195,000)	(195,000)	(195,000)	---	---	---	NA	
FY 2005 Advance	195,000	195,000	195,000	195,000	195,000	---	---	---	D	
Subtotal, Reading First State Grants	993,500	1,050,000	1,050,000	1,000,000	1,030,000	+36,500	-20,000	+30,000		
Early Reading First	74,512	100,000	100,000	85,000	95,000	+20,488	-5,000	+10,000	D	
Literacy through School Libraries	12,419	27,500	27,500	12,419	19,960	+7,541	-7,540	+7,541	D	
State Agency Programs:										
Migrant	395,413	396,000	396,000	395,913	395,913	+500	-87	---	D	FF
Neglected and Delinquent/High Risk Youth	48,682	48,000	49,000	48,682	48,682	---	-318	---	D	FF
Subtotal, State Agency programs	444,095	444,000	445,000	444,595	444,595	+500	-405	---		
Evaluation	8,842	9,500	9,500	8,842	8,842	---	-658	---	D	
Comprehensive School Reform Demonstration	233,473	---	235,000	---	235,000	+1,527	---	+235,000	D	FF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
Migrant Education:										
High School Equivalency Program	23,347	13,000	24,000	16,000	19,000	-4,347	-5,000	+3,000	D	
College Assistance Migrant Program	15,399	15,000	16,000	15,500	15,750	+351	-250	+250	D	
Subtotal, Migrant Education	38,746	28,000	40,000	31,500	34,750	-3,996	-5,250	+3,250		
Total, Education for the disadvantaged	13,738,273	14,184,000	14,507,000	14,107,356	14,528,522	+790,249	+21,522	+421,166		
Current Year	(4,710,972)	(6,800,699)	(7,123,699)	(6,724,055)	(7,145,221)	(+2,434,249)	(+21,522)	(+421,166)		
FY 2005	(9,027,301)	(7,383,301)	(7,383,301)	(7,383,301)	(7,383,301)	(-1,644,000)	---	---		
Subtotal, forward funded	(4,572,976)	(6,632,199)	(6,943,199)	(6,582,794)	(6,983,169)	(+2,410,193)	(+39,970)	(+400,375)		
IMPACT AID										
Basic Support Payments	1,025,292	867,500	1,073,000	1,030,292	1,070,000	+44,708	-3,000	+39,708	D	
Payments for Children with Disabilities	50,668	40,000	50,668	50,668	50,668	---	---	---	D	
Facilities Maintenance (Sec. 8008)	7,948	8,000	7,948	7,948	7,948	---	---	---	D	
Construction (Sec. 8007)	44,708	45,000	44,708	44,708	46,208	+1,500	+1,500	+1,500	D	
Payments for Federal Property (Sec. 8002)	59,610	55,000	62,000	59,610	62,000	+2,390	---	+2,390	D	
Total, Impact aid	1,188,226	1,015,500	1,238,324	1,193,226	1,236,824	+48,598	-1,500	+43,598		
SCHOOL IMPROVEMENT PROGRAMS										
State Grants for Improving Teacher Quality	1,780,825	1,700,000	1,780,825	1,700,000	1,510,825	-270,000	-270,000	-189,175	D	FF
Advance from prior year	(1,150,000)	(1,150,000)	(1,150,000)	(1,150,000)	(1,150,000)	---	---	---	NA	
FY 2005	1,150,000	1,150,000	1,150,000	1,150,000	1,435,000	+285,000	+285,000	+285,000	D	
Subtotal, State Grants for Improving Teacher Quality, program level	2,930,825	2,850,000	2,930,825	2,850,000	2,945,825	+15,000	+15,000	+95,825		
Early Childhood Educator Professional Development	14,902	15,000	14,902	14,902	14,902	---	---	---	D	
Mathematics and Science Partnerships	100,344	12,500	150,000	100,344	150,000	+49,656	---	+49,656	D	FF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
State Grants for Innovative Education (Education Block Grant)	97,498	100,000	50,000	60,000	300,000	+202,502	+250,000	+240,000	D	FF
Advance from prior year	(285,000)	(285,000)	(285,000)	(285,000)	(285,000)	---	---	---	NA	
FY 2005	285,000	285,000	285,000	285,000	---	-285,000	-285,000	-285,000	D	
Subtotal, Education Block Grant, program level	382,498	385,000	335,000	345,000	300,000	-82,498	-35,000	-45,000		
Educational Technology:										
Educational Technology State Grants	695,947	700,500	695,947	695,947	695,947	---	---	---	D	FF
Preparing Tomorrow's Teachers to Use Technology	62,094	---	---	---	---	-62,094	---	---	D	
Subtotal, Educational Technology	758,041	700,500	695,947	695,947	695,947	-62,094	---	---		
21st Century Community Learning Centers	993,500	600,000	1,000,000	1,000,000	1,005,000	+11,500	+5,000	+5,000	D	FF
State Assessments/Enhanced Assessment Instruments	384,484	390,000	390,000	390,000	391,600	+7,116	+1,600	+1,600	D	FF
Javits gifted talented education	11,177	---	11,177	11,177	11,177	---	---	---	D	
Foreign language assistance	16,144	---	---	17,144	16,644	+500	+16,644	-500	D	
Education for Homeless Children & Youth	54,642	50,000	60,000	60,000	60,000	+5,358	---	---	D	FF
Training and Advisory Services (Civil Rights)	7,286	7,334	7,286	7,286	7,286	---	---	---	D	
Education for Native Hawaiians	30,798	18,300	18,300	36,000	33,500	+2,702	+15,200	-2,500	D	
Alaska Native Education Equity	30,798	14,200	14,200	36,000	33,500	+2,702	+19,300	-2,500	D	
Rural Education	167,653	---	170,000	167,653	168,827	+1,174	-1,173	+1,174	D	FF
Total, School improvement programs	5,883,092	5,042,834	5,797,637	5,731,453	5,834,208	-48,884	+36,571	+102,755		
Current Year	(4,448,092)	(3,607,834)	(4,362,637)	(4,296,453)	(4,399,208)	(-48,884)	(+36,571)	(+102,755)		
FY 2005	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	---	---	---		
Subtotal, *forward funded*	(4,274,893)	(3,553,000)	(4,296,772)	(4,173,944)	(4,282,199)	(+7,306)	(-14,573)	(+108,255)		
INDIAN EDUCATION										
Grants to Local Educational Agencies	96,502	97,133	96,502	96,502	96,502	---	---	---	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
Federal Programs:										
Special Programs for Indian Children	19,870	20,000	19,870	19,870	19,870	---	---	---	D	
National Activities	5,201	5,235	5,201	5,201	5,201	---	---	---	D	
Subtotal, Federal Programs	25,071	25,235	25,071	25,071	25,071	---	---	---		
Total, Indian Education	121,573	122,368	121,573	121,573	121,573	---	---	---		
INOVATION AND IMPROVEMENT										
Troops-to-Teachers	28,812	25,000	20,000	---	15,000	-13,812	-5,000	+15,000	D	
Transition to Teaching	41,727	49,400	49,400	41,727	45,564	+3,837	-3,836	+3,837	D	
National Writing Project	16,890	---	16,890	18,890	18,000	+1,110	+1,110	-890	D	
Teaching of Traditional American History	99,350	100,000	50,000	120,000	120,000	+20,650	+70,000	---	D	
School Leadership	12,419	---	12,419	12,419	12,419	---	---	---	D	
Advanced Credentialing	9,935	---	16,500	9,935	18,500	+8,565	+2,000	+8,565	D	
Charter Schools Grants	198,700	220,000	220,000	220,000	220,000	+21,300	---	---	D	
Credit Enhancement for Charter School Facilities	24,838	100,000	75,000	---	37,500	+12,662	-37,500	+37,500	D	
Voluntary Public School Choice	25,831	25,000	25,831	28,000	26,916	+1,085	+1,085	-1,084	D	
Magnet Schools Assistance	109,285	110,000	109,285	109,285	109,285	---	---	---	D	
Choice Incentive Fund	---	75,000	---	---	---	---	---	---	D	
Fund for the Improvement of Education (FIE):									D	
Current funded	398,133	59,000	91,284	168,877	355,950	-42,183	+264,666	+187,073	D	
Forward funded	74,513	---	74,513	---	74,513	---	---	+74,513	D	FF
Subtotal, FIE	472,646	59,000	165,797	168,877	430,463	-42,183	+264,666	+261,586		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
Ready to Learn	22,850	22,000	22,000	24,000	23,000	+150	+1,000	-1,000	D	
Dropout Prevention Programs	10,929	---	---	5,000	5,000	-5,929	+5,000	---	D	
Ellender Fellowships/Close Up	1,490	---	1,490	---	1,490	---	---	+1,490	D	
Advanced Placement Fees	23,347	22,000	23,347	24,000	23,674	+327	+327	-326	D	
Total, Innovation and Improvement	1,099,049	807,400	807,959	782,133	1,106,811	+7,762	+298,852	+324,678		
Subtotal, forward funded	(74,513)	---	(74,513)	---	(74,513)	---	---	(+74,513)		
SAFE SCHOOLS AND CITIZENSHIP EDUCATION										
Safe and Drug Free Schools and Communities: State Grants, current funded	138,949	92,017	138,949	422,017	445,483	+306,534	+306,534	+23,466	D	FF
Advance from prior year	(330,000)	(330,000)	(330,000)	(330,000)	(330,000)	---	---	---	NA	
FY 2005	330,000	330,000	330,000	---	---	-330,000	-330,000	---	D	
State Grants, program level	468,949	422,017	468,949	422,017	445,483	-23,466	-23,466	+23,466		
National Programs	155,180	172,233	160,180	155,180	154,680	-500	-5,500	-500	D	
Community Service for Expelled or Susp'd Students	49,675	---	---	---	---	-49,675	---	---	D	FF
Alcohol Abuse Reduction	24,838	---	---	30,000	30,000	+5,162	+30,000	---	D	
Mentoring Programs	17,386	100,000	50,000	28,700	50,000	+32,614	---	+21,300	D	
Character education	24,838	25,000	24,838	24,838	24,838	---	---	---	D	
Elementary and Secondary School Counseling	32,289	---	32,289	34,000	34,000	+1,711	+1,711	---	D	
Carol E. White Physical Education for Progress	59,610	---	60,000	70,000	70,000	+10,390	+10,000	---	D	
Civic Education	28,812	27,000	28,812	28,812	28,812	---	---	---	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
State Grants for Incarcerated Youth Offenders	23,348	---	---	25,000	25,000	+1,652	+25,000	---	D	FF
Physical Education Initiative	---	10,000	---	---	---	---	---	---	D	
Total, Safe Schools and Citizenship Education	884,925	756,250	825,068	818,547	862,813	-22,112	+37,745	+44,266		
Current Year	(554,925)	(426,250)	(495,068)	(818,547)	(862,813)	(+307,888)	(+367,745)	(+44,266)		
FY 2005	(330,000)	(330,000)	(330,000)	---	---	(-330,000)	(-330,000)	---		
Subtotal, forward funded	(211,972)	(92,017)	(138,949)	(447,017)	(470,483)	(+258,511)	(+331,534)	(+23,466)		
ENGLISH LANGUAGE ACQUISITION										
Current funded	194,726	665,000	124,972	127,741	124,957	-69,769	-15	-2,784	D	
Forward funded	490,789	---	560,543	541,259	560,301	+69,512	-242	+19,042	D	FF
Total, English Language Acquisition	685,515	665,000	685,515	669,000	685,258	-257	-257	+16,258		
SPECIAL EDUCATION										
State Grants:										
Grants to States Part B advance funded	5,672,000	5,072,000	5,072,000	5,402,000	5,413,000	-259,000	+341,000	+11,000	D	
Part B advance from prior year	(5,072,000)	(5,672,000)	(5,672,000)	(5,672,000)	(5,672,000)	(+600,000)	---	---	NA	
Grants to States Part B current year	3,202,398	4,456,533	4,802,398	5,656,533	4,716,398	+1,514,000	-86,000	-940,135	D	FF
Subtotal, Grants to States, program level	8,874,398	9,528,533	9,874,398	11,058,533	10,129,398	+1,255,000	+255,000	-929,135		
Preschool Grants	387,465	390,000	390,000	390,000	390,000	+2,535	---	---	D	FF
Grants for Infants and Families	434,159	447,000	447,000	447,000	447,000	+12,841	---	---	D	FF
Subtotal, State grants, program level	9,696,022	10,365,533	10,711,398	11,895,533	10,966,398	+1,270,376	+255,000	-929,135		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
IDEA National Activities (current funded):										
State Program Improvement Grants	51,364	44,000	51,364	44,000	51,364	---	---	+7,364	D	FI
Research and Innovation	76,710	78,380	77,210	77,210	78,589	+1,879	+1,379	+1,379	D	
Technical Assistance and Dissemination	53,133	53,481	53,481	53,133	53,133	---	-348	---	D	
Personnel Preparation	91,899	90,000	91,899	91,899	91,899	---	---	---	D	
Parent Information Centers	26,328	26,000	26,328	26,328	26,328	---	---	---	D	
Technology and Media Services	37,961	32,710	38,110	39,361	39,361	+1,400	+1,251	---	D	
Subtotal, IDEA special programs	337,395	324,571	338,392	331,931	340,674	+3,279	+2,282	+8,743		
Total, Special education	10,033,417	10,690,104	11,049,790	12,227,464	11,307,072	+1,273,655	+257,282	-920,392		
Current Year	(4,361,417)	(5,618,104)	(5,977,790)	(6,825,464)	(5,894,072)	(+1,532,655)	(-83,718)	(-931,392)		
FY 2005	(5,672,000)	(5,072,000)	(5,072,000)	(5,402,000)	(5,413,000)	(-259,000)	(+341,000)	(+11,000)		
Subtotal, Forward funded	(4,075,386)	(5,337,533)	(5,690,762)	(6,537,533)	(5,604,762)	(+1,529,376)	(-86,000)	(-932,771)		
REHABILITATION SERVICES AND DISABILITY RESEARCH										
Vocational Rehabilitation State Grants	2,533,492	2,584,162	2,584,162	2,584,162	2,584,162	+50,670	---	---	M	
Vocational Rehabilitation Incentive Grants	---	84,490	---	---	---	---	---	---	D	
Client Assistance State grants	12,068	11,897	12,068	12,068	12,068	---	---	---	D	
Training	39,371	42,629	39,371	39,371	39,371	---	---	---	D	
Demonstration and training programs	21,395	24,492	20,895	20,895	23,930	+2,535	+3,035	+3,035	D	
Migrant and seasonal farmworkers	2,335	---	2,335	2,335	2,335	---	---	---	D	
Recreational programs	2,579	---	2,579	2,579	2,579	---	---	---	D	
Protection and advocacy of individual rights (PAIR)	16,890	17,880	16,890	16,890	16,890	---	---	---	D	
Projects with industry	21,928	---	21,928	21,928	21,928	---	---	---	D	
Supported employment State grants	37,904	---	37,904	37,904	37,904	---	---	---	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Independent living:									
State grants	22,151	22,296	22,296	22,151	22,151	---	-145	---	D
Centers	69,545	69,500	75,000	69,545	74,000	+4,455	-1,000	+4,455	D
Services for older blind individuals	27,818	25,000	32,000	27,818	32,000	+4,182	---	+4,182	D
Subtotal, Independent living	119,514	116,796	129,296	119,514	128,151	+8,637	-1,145	+8,637	
Program Improvement	894	850	894	894	894	---	---	---	D
Evaluation	994	1,000	994	994	994	---	---	---	D
Helen Keller National Center for Deaf/Blind	8,660	8,717	8,717	8,717	8,717	+57	---	---	D
National Inst. Disability and Rehab. Research (NIDRR)	109,285	110,000	110,000	109,285	107,285	-2,000	-2,715	-2,000	D
Assistive Technology	26,824	---	11,132	26,824	26,097	-727	+14,965	-727	D
Subtotal, discretionary programs	420,641	418,751	415,003	420,198	429,143	+8,502	+14,140	+8,945	
Total, Rehabilitation services	2,954,133	3,002,913	2,999,165	3,004,360	3,013,305	+59,172	+14,140	+8,945	
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES									
AMERICAN PRINTING HOUSE FOR THE BLIND	15,399	14,000	16,500	16,500	16,500	+1,101	---	---	D
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF (NTID):									
Operations	52,109	49,414	53,500	53,433	53,433	+1,324	-67	---	D
Endowment	---	1,000	---	---	---	---	---	---	D
Construction	1,590	367	367	367	367	-1,223	---	---	D
Total, NTID	53,699	50,781	53,867	53,800	53,800	+101	-67	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
GALLAUDET UNIVERSITY										
Operations	97,798	93,446	100,600	100,800	100,800	+3,002	+200	---	D	
Endowment	---	1,000	---	---	---	---	---	---	D	
Total, Gallaudet University	97,798	94,446	100,600	100,800	100,800	+3,002	+200	---		
Total, Special Institutions for Persons with Disabilities	166,896	159,227	170,967	171,100	171,100	+4,204	+133	---		
VOCATIONAL AND ADULT EDUCATION										
Vocational Education:										
Basic State Grants/Secondary & Technical Education										
State Grants, current funded 2/	401,200	209,000	409,000	401,200	411,100	+9,900	+2,100	+9,900	D	FF
Advance from prior year	(791,000)	(791,000)	(791,000)	(791,000)	(791,000)	---	---	---	NA	
FY 2005	791,000	791,000	791,000	791,000	791,000	---	---	---	D	
Subtotal, Basic State Grants, program level	1,192,200	1,000,000	1,200,000	1,192,200	1,202,100	+9,900	+2,100	+9,900		
Tech-Prep Education State Grants	107,298	---	107,298	107,298	107,298	---	---	---	D	FF
National Programs	11,922	---	11,922	11,922	11,922	---	---	---	D	FF
Tech-Prep Education Demonstration	4,968	---	---	4,968	4,968	---	+4,968	---	D	FF
Tribally Controlled Postsec Voc/Tech Institutions	6,955	6,500	6,955	7,500	7,228	+273	+273	-272	D	
Occupational and Employment Information Program	9,438	---	---	9,438	9,438	---	+9,438	---	D	FF
Subtotal, Vocational Education	1,332,781	1,006,500	1,326,175	1,333,326	1,342,954	+10,173	+16,779	+9,628		
Adult Education:										
State Grants/Adult basic and literacy education:										
State Grants, current funded 2/	571,262	584,300	584,300	571,262	577,781	+6,519	-6,519	+6,519	D	FF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate		
National Programs										
National Leadership Activities	9,438	---	9,438	9,223	9,223	-215	-215	---	D	FF
National Institute for Literacy	6,517	6,732	6,517	6,732	6,732	+215	+215	---	D	FF
Subtotal, National programs	15,955	6,732	15,955	15,955	15,955	---	---	---		
Subtotal, Adult education	587,217	591,032	600,255	587,217	593,736	+6,519	-6,519	+6,519		
Smaller Learning Communities, current funded	8,047	---	8,750	8,047	8,750	+703	---	+703	D	
Smaller Learning Communities, forward funded	152,900	---	166,250	152,900	166,250	+13,350	---	+13,350	D	FF
Community Technology Centers	32,264	---	---	20,000	10,000	-22,264	+10,000	-10,000	D	
Total, Vocational and adult education	2,113,209	1,597,532	2,101,430	2,101,490	2,121,690	+8,481	+20,260	+20,200		
Current Year	(1,322,209)	(806,532)	(1,310,430)	(1,310,490)	(1,330,690)	(+8,481)	(+20,260)	(+20,200)		
FY 2005	(791,000)	(791,000)	(791,000)	(791,000)	(791,000)	---	---	---		
Subtotal, forward funded	(1,274,943)	(800,032)	(1,294,725)	(1,274,943)	(1,304,712)	(+29,769)	(+9,987)	(+29,769)		
STUDENT FINANCIAL ASSISTANCE										
Pell Grants -- maximum grant (NA)	(4,050)	(4,000)	(4,050)	(4,050)	(4,050)	---	---	---	NA	
Pell Grants -- Regular Program	11,364,646	12,715,000	12,250,000	12,176,683	12,077,998	+713,352	-172,002	-98,685	D	
Federal Supplemental Educational Opportunity Grants	760,028	725,000	760,028	760,028	775,028	+15,000	+15,000	+15,000	D	
Federal Work Study	1,004,428	1,011,000	1,004,428	1,004,428	1,004,428	---	---	---	D	
Federal Perkins Loans:										
Capital Contributions	99,350	---	99,350	99,350	99,350	---	---	---	D	
Loan Cancellations	67,061	67,500	67,061	67,061	67,061	---	---	---	D	
Subtotal, Federal Perkins loans	166,411	67,500	166,411	166,411	166,411	---	---	---		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
LEAP program	66,565	---	66,565	66,565	66,565	---	---	---	D
Loan Forgiveness for Child Care	994	---	---	---	---	-994	---	---	D
Total, Student Financial Assistance	13,363,072	14,518,500	14,247,432	14,174,115	14,090,430	+727,358	-157,002	-83,685	
STUDENT AID ADMINISTRATION									
Administrative Costs	104,703	947,010	120,010	104,703	118,010	+13,307	-2,000	+13,307	D
Fed Direct Student Loan Reclassification (Leg prop)	---	-795,000	---	---	---	---	---	---	D
HIGHER EDUCATION									
Aid for Institutional Development:									
Strengthening Institutions	81,467	76,275	81,467	81,467	81,467	---	---	---	D
Hispanic Serving Institutions	92,396	93,551	93,551	94,551	94,551	+2,155	+1,000	---	D
Strengthening Historically Black Colleges (HBCUs)	214,015	224,086	224,086	224,086	224,086	+10,071	---	---	D
Strengthening historically black graduate insts	53,415	53,302	53,415	53,415	53,415	---	---	---	D
Strengthening Alaska & Hawaiian-Serving Insts	8,180	4,048	8,180	11,000	11,000	+2,820	+2,820	---	D
Strengthening Tribal Colleges	22,850	19,037	22,850	24,000	23,425	+575	+575	-575	D
Subtotal, Aid for Institutional development	472,323	470,299	483,549	488,519	487,944	+15,621	+4,395	-575	
International Education and Foreign Language:									
Domestic Programs	93,240	88,000	93,240	86,240	89,740	-3,500	-3,500	+3,500	D
Overseas Programs	12,916	13,000	12,916	12,916	12,916	---	---	---	D
Institute for International Public Policy	1,639	1,500	1,639	1,639	1,639	---	---	---	D
Subtotal, International Education & Foreign Lang	107,795	102,500	107,795	100,795	104,295	-3,500	-3,500	+3,500	
Fund for the Improvement of Postsec. Ed. (FIPSE)	171,064	39,138	34,138	32,201	155,311	-15,753	+121,173	+123,110	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Minority Science and Engineering Improvement	8,942	8,500	8,942	8,942	8,942	---	---	---	D
Interest Subsidy Grants	2,980	2,000	2,000	2,000	2,000	-980	---	---	D
Federal TRIO Programs	827,089	802,500	835,000	840,000	837,500	+10,411	+2,500	-2,500	D
GEAR UP	293,082	285,000	300,000	300,000	300,000	+6,918	---	---	D
Byrd Honors Scholarships	40,734	41,001	40,734	41,000	41,000	+266	+266	---	D
Javits Fellowships	9,935	10,000	9,935	9,935	9,935	---	---	---	D
Graduate Assistance in Areas of National Need	30,798	31,000	30,798	30,798	30,798	---	---	---	D
Teacher Quality Enhancement Grants	89,415	90,000	90,000	89,415	89,415	---	-585	---	D
Child Care Access Means Parents in School	16,194	15,000	15,000	16,194	16,194	---	+1,194	---	D
Demonstration in Disabilities / Higher Education	6,954	---	6,954	6,954	6,954	---	---	---	D
Underground Railroad Program	2,235	---	2,235	2,235	2,235	---	---	---	D
GPRA data/HEA program evaluation	994	1,000	994	994	994	---	---	---	D
Thurgood Marshall Scholarships	4,968	---	4,968	---	---	-4,968	-4,968	---	D
B.J. Stupak Olympic Scholarships	994	---	994	---	994	---	---	+994	D
Total, Higher education	2,086,496	1,897,938	1,974,036	1,969,962	2,094,511	+8,015	+120,475	+124,529	
NATIONAL SECURITY EDUCATION TRUST FUND 3/	---	8,000	---	---	---	---	---	---	
HOWARD UNIVERSITY									
Academic Program	204,690	207,100	208,170	204,690	206,430	+1,740	-1,740	+1,740	D
Endowment Program	3,573	---	3,600	3,573	3,573	---	-27	---	D
Howard University Hospital	30,177	30,374	31,000	30,177	30,177	---	-823	---	D
Total, Howard University	238,440	237,474	242,770	238,440	240,180	+1,740	-2,590	+1,740	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
College Housing and Academic Facilities Loans Program: (CHAFL)	757	774	774	774	774	+17	---	---	D
HBCU Capital Financing Program -- Federal Adm.	207	210	210	210	210	+3	---	---	D
INSTITUTE OF EDUCATION SCIENCES									
Research and Statistics:									
Research	139,090	185,000	185,000	144,090	166,500	+27,410	-18,500	+22,410	D
Statewide data systems	---	---	---	80,000	---	---	---	-80,000	D
Regional Educational Laboratories	67,061	---	67,061	67,061	67,061	---	---	---	D
Statistics	89,415	95,000	95,000	89,415	92,208	+2,793	-2,792	+2,793	D
Assessment:									
National Assessment	90,235	90,825	90,825	90,235	90,235	---	-590	---	D
National Assessment Governing Board	4,532	5,090	5,090	4,532	5,090	+558	---	+558	D
Subtotal, Assessment	94,767	95,915	95,915	94,767	95,325	+558	-590	+558	
Subtotal, Research and statistics	390,333	375,915	442,976	475,333	421,094	+30,761	-21,882	-54,239	
Multi-year Grants and Contracts	57,623	---	57,623	57,623	57,623	---	---	---	D
Total, IES	447,956	375,915	500,599	532,956	478,717	+30,761	-21,882	-54,239	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
DEPARTMENTAL MANAGEMENT									
PROGRAM ADMINISTRATION	409,863	434,494	434,494	349,730	425,000	+15,137	-9,494	+75,270	D
OFFICE FOR CIVIL RIGHTS	85,715	91,275	91,275	77,884	89,275	+3,560	-2,000	+11,391	D
OFFICE OF THE INSPECTOR GENERAL	40,734	48,137	48,137	37,661	47,137	+6,403	-1,000	+9,476	D
Total, Departmental management	536,312	573,906	573,906	465,275	561,412	+25,100	-12,494	+96,137	
Total: Elementary and Secondary Education Act programs	23,793,864	22,593,352	24,158,076	23,604,235	24,561,009	+767,145	+402,933	+956,774	
Total, Title III, Department of Education	55,646,251	55,807,855	57,964,165	58,414,157	58,573,420	+2,927,169	+609,255	+159,263	
Current Year	(38,390,950)	(40,796,554)	(42,952,864)	(43,402,856)	(43,551,119)	(+5,160,169)	(+598,255)	(+148,263)	
FY 2005	(17,255,301)	(15,011,301)	(15,011,301)	(15,011,301)	(15,022,301)	(-2,233,000)	(+11,000)	(+11,000)	

Title III Footnotes:
1/ Reclassification of advance appropriations.
2/ FY 2004 request assumes passage of proposed legislation renaming these State grant programs.
3/ In fiscal years 2003 and 2004, $8 million provided for this program in Defense Appropriations Acts.

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
TITLE IV - RELATED AGENCIES									
ARMED FORCES RETIREMENT HOME									
Operations and Maintenance	61,839	63,296	63,296	63,296	63,296	+1,457	---	---	D
Capital Program	5,732	1,983	1,983	1,983	1,983	-3,749	---	---	D
Total, AFRH	67,571	65,279	65,279	65,279	65,279	-2,292	---	---	
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE 1/									
Volunteers in Service to America (VISTA)	93,674	94,287	93,674	94,287	94,287	+613	+613	---	D
Volunteers in Homeland Security	9,935	20,000	5,000	9,935	9,935	---	+4,935	---	D
National Senior Volunteer Corps:									
Foster Grandparents Program	110,775	106,700	110,775	110,775	110,775	---	---	---	D
Senior Companion Program	46,260	46,563	46,260	46,563	46,260	---	---	-303	D
Retired Senior Volunteer Program	58,501	58,884	58,501	58,884	58,501	---	---	-383	D
Senior Demonstration Program	397	---	397	397	---	-397	-397	-397	D
Subtotal, Senior Volunteers	215,933	212,147	215,933	216,619	215,536	-397	-397	-1,083	
Program Administration	34,346	38,229	38,229	34,346	36,685	+2,339	-1,544	+2,339	D
Total, Domestic Volunteer Service Programs	353,888	364,663	352,836	355,187	356,443	+2,555	+3,607	+1,256	
CORPORATION FOR PUBLIC BROADCASTING:									
FY 2006 (current) with FY 2005 comparable	390,000	---	330,000	400,000	400,000	+10,000	+70,000	---	D
FY 2005 advance with FY 2004 comparable (NA)	(380,000)	(390,000)	(390,000)	(390,000)	(390,000)	(+10,000)	---	---	NA
FY 2004 advance with FY 2003 comparable (NA)	(362,627)	(380,000)	(380,000)	(380,000)	(380,000)	(+17,373)	---	---	NA
Digitalization program, current funded	48,427	---	---	55,000	50,000	+1,573	+50,000	-5,000	D
Funds provided in P.L. 107-116	---	(80,000)	(80,000)	---	---	---	(-80,000)	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
Interconnection, current funded	---	---	---	10,000	10,000	+10,000	+10,000	---	D
Funds provided in P.L. 107-116	---	(20,000)	(20,000)	---	---	---	(-20,000)	---	
Subtotal, FY 2004 appropriation	48,427	---	---	65,000	60,000	+11,573	+60,000	-5,000	
Subtotal, FY 2004 comparable	(48,427)	(100,000)	(100,000)	(65,000)	(60,000)	(+11,573)	(-40,000)	(-5,000)	
FEDERAL MEDIATION AND CONCILIATION SERVICE	41,156	42,885	43,385	43,385	43,385	+2,229	---	---	D
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION	7,131	7,774	7,774	7,774	7,774	+643	---	---	D
INSTITUTE OF MUSEUM AND LIBRARY SERVICES	243,889	242,024	238,126	243,889	262,596	+18,707	+24,470	+18,707	D
MEDICARE PAYMENT ADVISORY COMMISSION	8,529	9,300	9,000	9,000	9,300	+771	+300	+300	TF
NATIONAL COMMISSION ON LIBRARIES AND INFO SCIENCE	1,003	1,000	1,000	1,000	1,000	-3	---	---	D
NATIONAL COUNCIL ON DISABILITY	2,839	2,830	2,830	3,339	3,039	+200	+209	-300	D
NATIONAL LABOR RELATIONS BOARD	237,429	243,073	239,429	246,073	244,073	+6,644	+4,644	-2,000	D
NATIONAL MEDIATION BOARD	11,241	11,421	11,421	11,421	11,421	+180	---	---	D
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION	9,610	10,115	10,115	9,610	9,863	+253	-252	+253	D
RAILROAD RETIREMENT BOARD									
Dual Benefits Payments Account	131,142	127,000	119,000	127,000	119,000	-12,142	---	-8,000	D
Less Income Tax Receipts on Dual Benefits	-7,948	-8,000	-8,000	-8,000	-8,000	-52	---	---	D
Subtotal, Dual Benefits	123,194	119,000	111,000	119,000	111,000	-12,194	---	-8,000	
Federal Payment to the RR Retirement Account	150	150	150	150	150	---	---	---	M
Limitation on Administration	99,350	99,820	101,300	99,350	101,300	+1,950	---	+1,950	TF
Inspector General	6,322	6,600	6,600	6,322	6,600	+278	---	+278	TF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
SOCIAL SECURITY ADMINISTRATION									
Payments to Social Security Trust Funds	20,400	21,658	21,658	21,658	21,658	+1,258	---	---	M
SUPPLEMENTAL SECURITY INCOME									
Federal benefit payments	31,795,664	34,198,000	34,198,000	34,198,000	34,198,000	+2,402,336	---	---	M
Beneficiary services	45,728	100,000	100,000	100,000	100,000	+54,272	---	---	M
Research and demonstration	38,000	30,000	30,000	38,000	38,000	---	+8,000	---	M
Administration	2,825,000	3,034,000	2,973,300	3,034,000	2,973,300	+148,300	---	-60,700	D
Subtotal, SSI program level	34,704,392	37,362,000	37,301,300	37,370,000	37,309,300	+2,604,908	+8,000	-60,700	
Less funds advanced in prior year	-10,790,000	-11,080,000	-11,080,000	-11,080,000	-11,080,000	-290,000	---	---	M
Subtotal, regular SSI current year	23,914,392	26,282,000	26,221,300	26,290,000	26,229,300	+2,314,908	+8,000	-60,700	
Plus User Fee Activities	111,000	120,000	120,000	120,000	120,000	+9,000	---	---	D
Total, SSI, current request	24,025,392	26,402,000	26,341,300	26,410,000	26,349,300	+2,323,908	+8,000	-60,700	
New advance, 1st quarter, FY 2005	11,080,000	12,590,000	12,590,000	12,590,000	12,590,000	+1,510,000	---	---	M
Total, SSI program	35,105,392	38,992,000	38,931,300	39,000,000	38,939,300	+3,833,908	+8,000	-60,700	
LIMITATION ON ADMINISTRATIVE EXPENSES									
OASDI Trust Funds	3,736,783	4,192,200	4,108,300	4,192,200	4,108,300	+371,517	---	-83,900	TF
HI/SMI Trust Funds	1,210,554	1,182,000	1,158,400	1,182,000	1,158,400	-52,154	---	-23,600	TF
Social Security Advisory Board	1,800	1,800	1,800	1,800	1,800	---	---	---	TF
SSI	2,825,000	3,034,000	2,973,300	3,034,000	2,973,300	+148,300	---	-60,700	TF
Subtotal, regular LAE	7,774,137	8,410,000	8,241,800	8,410,000	8,241,800	+467,663	---	-168,200	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate	
User Fee Activities (SSI)	111,000	120,000	120,000	120,000	120,000	+9,000	---	---	TF
Total, Limitation on Administrative Expenses	7,885,137	8,530,000	8,361,800	8,530,000	8,361,800	+476,663	---	-168,200	
OFFICE OF INSPECTOR GENERAL									
Federal Funds	20,863	25,000	24,500	20,863	24,500	+3,637	---	+3,637	D
Trust Funds	61,597	65,000	63,700	61,597	63,700	+2,103	---	+2,103	TF
Total, Office of Inspector General	82,460	90,000	88,200	82,460	88,200	+5,740	---	+5,740	
Adjustment: Trust fund transfers from general revenues	-2,936,000	-3,154,000	-3,093,300	-3,154,000	-3,093,300	-157,300	---	+60,700	TF
Total, Social Security Administration	40,157,389	44,479,658	44,309,658	44,480,118	44,317,658	+4,160,269	+8,000	-162,460	
Federal funds	35,146,655	39,038,658	38,977,458	39,042,521	38,985,458	+3,838,803	+8,000	-57,063	
Current year	(24,066,655)	(26,448,658)	(26,387,458)	(26,452,521)	(26,395,458)	(+2,328,803)	(+8,000)	(-57,063)	
New advances, 1st quarter	(11,080,000)	(12,590,000)	(12,590,000)	(12,590,000)	(12,590,000)	(+1,510,000)	---	---	
Trust funds	5,010,734	5,441,000	5,332,200	5,437,597	5,332,200	+321,466	---	-105,397	
UNITED STATES INSTITUTE OF PEACE	16,256	17,200	17,200	17,200	17,200	+944	---	---	D
Total, Title IV, Related Agencies	41,825,374	45,722,792	45,857,103	46,183,097	46,028,081	+4,202,707	+170,978	-155,016	
Federal Funds	36,700,439	40,166,072	40,408,003	40,630,828	40,578,681	+3,878,242	+170,678	-52,147	
Current Year	(25,230,439)	(27,576,072)	(27,488,003)	(27,640,828)	(27,588,681)	(+2,358,242)	(+100,678)	(-52,147)	
FY 2005 Advance	(11,080,000)	(12,590,000)	(12,590,000)	(12,590,000)	(12,590,000)	(+1,510,000)	---	---	
FY 2006 Advance	(390,000)	---	(330,000)	(400,000)	(400,000)	(+10,000)	(+70,000)	---	
Trust Funds	5,124,935	5,556,720	5,449,100	5,552,269	5,449,400	+324,465	+300	-102,869	

Title IV Footnotes:

1/ Appropriations for Americorps are provided in the VA-HUD bill.

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate
SUMMARY								
Federal Funds	419,505,080	457,534,706	466,427,942	461,449,776	468,404,526	+48,899,446	+1,976,584	+6,954,750
Current year	(332,112,793)	(364,598,430)	(373,161,666)	(368,113,500)	(375,057,250)	(+42,944,457)	(+1,895,584)	(+6,943,750)
2005 advance	(87,002,287)	(92,936,276)	(92,936,276)	(92,936,276)	(92,947,276)	(+5,944,989)	(+11,000)	(+11,000)
2006 advance	(390,000)	---	(330,000)	(400,000)	(400,000)	(+10,000)	(+70,000)	---
Trust Funds	11,485,390	12,162,642	11,978,994	12,103,203	11,941,428	+456,038	-37,566	-161,775
Grand Total	430,990,470	469,697,348	478,406,936	473,552,979	480,345,954	+49,355,484	+1,939,018	+6,792,975

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2003 Comparable	FY 2004 Request	House	Senate	Conference	Conference vs. FY 2003 Comparable	Conference vs. FY 2004 House	Conference vs. FY 2004 Senate
BUDGET ENFORCEMENT ACT RECAP								
Mandatory, total in bill	296,311,317	334,126,478	340,152,954	334,207,954	340,207,954	+43,896,637	+55,000	+6,000,000
Less advances for subsequent years	-65,883,986	-74,061,975	-74,061,975	-74,061,975	-74,061,975	-8,177,989	---	---
Plus advances provided in prior years	60,353,937	65,883,986	65,883,986	65,883,986	65,883,986	+5,530,049	---	---
Total, mandatory, current year	290,781,268	325,948,489	331,974,965	326,029,965	332,029,965	+41,248,697	+55,000	+6,000,000
Discretionary, total in bill	134,679,153	135,570,870	138,253,982	139,345,025	140,138,000	+5,458,847	+1,884,018	+792,975
Less advances for subsequent years	-21,508,301	-18,874,301	-19,204,301	-19,274,301	-19,285,301	+2,223,000	-81,000	-11,000
Plus advances provided in prior years	19,220,918	21,498,301	19,254,301	19,254,301	19,254,301	+33,383	---	---
Scorekeeping adjustments:								
SSA User Fee Collection	-111,000	-120,000	-120,000	-120,000	-120,000	-9,000	---	---
Repatriation, change in statutory cap	5,000	---	---	---	---	-5,000	---	---
AWIU contingency	70,000	---	---	---	---	-70,000	---	---
Adjustment-OMB Mandatory scoring in Voc Rehab.	---	-84,490	---	---	---	---	---	---
CMS User Fees	---	---	-98,000	---	---	---	+98,000	---
CDC Management/IT Savings	---	---	-49,982	---	---	---	+49,982	---
Railroad retirement	---	---	---	-8,000	---	---	---	+8,000
Welfare to Work rescission	---	---	---	-210,833	-176,000	-176,000	-176,000	+34,833
CPB FY 2003 S&E adjustment	182	---	---	---	---	-182	---	---
Customs user fees	---	---	---	-1,317,000	---	---	---	+1,317,000
Across the board admin. expenses reduction	---	---	---	-113,190	-50,000	-50,000	-50,000	+63,190
Total, discretionary	132,355,952	137,990,380	138,036,000	137,556,002	139,761,000	+7,405,048	+1,725,000	+2,204,998
Adjustment to balance with 2003 enacted	-70,000	---	---	---	---	+70,000	---	---
Total, discretionary (FY 2003 enacted)	132,285,952	137,990,380	138,036,000	137,556,002	139,761,000	+7,475,048	+1,725,000	+2,204,998
Grand total, current year (incl FY 2003 comparable)	423,137,220	463,938,869	470,010,965	463,585,967	471,790,965	+48,653,745	+1,780,000	+8,204,998
Grand total, current year (incl FY 2003 enacted)	423,067,220	463,938,869	470,010,965	463,585,967	471,790,965	+48,723,745	+1,780,000	+8,204,998

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2003	$430,990,470
Budget estimates of new (obligational) authority, fiscal year 2004	469,697,348
House bill, fiscal year 2004	478,406,936
Senate bill, fiscal year 2004	473,552,979
Conference agreement, fiscal year 2004	480,345,954
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2003	+49,355,484
Budget estimates of new (obligational) authority, fiscal year 2004	+10,648,606
House bill, fiscal year 2004	+1,939,018
Senate bill, fiscal year 2004	+6,792,975

DIVISION F—DEPARTMENTS OF TRANSPORTATION AND TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

CONGRESSIONAL DIRECTIVES

The conferees agree that Executive Branch propensities cannot substitute for Congress's own statements concerning the best evidence of Congressional intentions; that is, the official reports of the Congress. The committee of conference approves report language included by the House (House Report 108–243) or the Senate (Senate Report 108–146) that is not changed by the conference. The statement of the managers, while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

The conference agreement provides $80,903,000 for the salaries and expenses of the office of the secretary instead of $94,077,000 as proposed by the House and $91,276,000 as proposed by the Senate. Bill language is included that specifies amounts by office, consistent with actions in prior years, and limits transfers among each office to no more than 5 percent. The bill language specifies that any transfer greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations. Bill language, as proposed by both the House and the Senate, allows the Department to spend up to $60,000 for official reception and representation activities, and credits to the appropriation up to $2,500,000 in user fee receipts.

The following table summarizes the appropriation for each office:

Immediate office of the Secretary	$2,210,000
Immediate office of the Deputy Secretary	700,000
Office of the General Counsel	15,403,000

Under Secretary of Transportation for Policy	12,312,000
Office of the Assistant Secretary for Budget and Programs	8,536,000
Office of the Assistant Secretary for Governmental Affairs	2,300,000
Office of the Assistant Secretary for Administration	24,612,000
Office of Public Affairs	1,915,000
Executive Secretariat	1,447,000
Board of Contract Appeals	700,000
Office of Small and Disadvantaged Business Utilization	1,268,000
Office of the Chief Information Officer	7,500,000
Office of Intelligence and Security	2,000,000

Implementation of Air Transportation Safety and System Stabilization Act for cargo carriers.—The conferees expect that the Department would administer funds made available under title I of the Air Transportation Safety and System Stabilization Act without discrimination among directly competitive air carriers and note that comparable percentages of the notional maximum amount of compensation payable under section 103(b)(2) of that Act provides a credible check on the Department's allocation decisions. Further, the conferees expect that the Secretary will defer any final determination on disputed claims until the Comptroller General's review is completed, and would refer any remaining disputed claims to an administrative law judge upon an affected claimant's request. In addition, the Department is directed to provide the report requested by the Senate.

Congressional justification materials.—The conferees direct the office of the secretary to submit its congressional justification materials in support of the individual offices of the offices of the secretary at the same level of detail provided in the congressional justifications presented in fiscal year 2003, and to submit annual Congressional budget justifications for each modal administration to the House and Senate Committees on Appropriations on the date on which the President's budget is delivered officially to Congress.

Office of Intelligence and Security.—The conferees acknowledge the mission of this office has changed significantly since enactment of the Aviation and Transportation Security Act. Consequently, the conferees direct the Secretary to submit, not later than March 1, 2004, a report to the House and Senate Committees on Appropriations describing in detail the organization, mission, and responsibilities of this office, as well as a five year projection of staffing and budget resources.

Outstanding reports.—The conference agreement continues the longstanding policy expressed in the Senate report directing the Office of the Assistant Secretary for Budget and Programs to report quarterly on the status of all outstanding Congressional reports and reporting requirements, including the degree of delinquency of Congressionally requested reports and an estimated date for delivery. The conferees note that not only are many reports themselves late, but in fiscal year 2003, the quarterly compilation described herein was itself only submitted in one of four quarters required. The conferees will work with the office of the secretary to ensure that this situation improves in the coming year.

Cyber threat intelligence.—The conferees recognize the importance of utilizing proactive cyber threat intelligence to protect the critical infrastructure assets of the department. The conferees encourage the department to deploy a performance-based cyber threat intelligence service that contains the aggregation of known tech-

nical vulnerabilities, original technical vulnerability research, geopolitical cyber threat analysis, malicious code research and predictive cyber threat analysis. The conferees also recognize that many serious cyber attacks originate from non-English-speaking regions of the world. As such, the cyber threat intelligence services described above must include a demonstrated ability to collect cyber threat intelligence in multiple languages, including Arabic.

Grant notifications to Congress.—The conferees agree that the report, directed by the Senate, submitting options for providing grant notifications in electronic format should be submitted to the House and Senate Committees on Appropriations not later than December 31, 2003.

OFFICE OF CIVIL RIGHTS

The conference agreement provides $8,569,000 for the office of civil rights as proposed by the House and the Senate.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

The conference agreement provides $20,864,000 for transportation planning, research, and development instead of $8,336,000 as proposed by the House and $15,836,000 as proposed by the Senate. Adjustments to the budget request are as follows:

	Conference agreement
Aviation and international policy studies	−$2,472,000
Circumpolar infrastructure task force, Artic Council and Northern Forum, AK	1,000,000
Center for Integrated Transportation & Traffic Systems, AZ	600,000
Center for Spatial Technologies, MS	700,000
Integrated data query sharing system for maritime domain awareness, WA	1,100,000
Regional Interstate Commerce and Transportation Policy Harmonization Project, SD	250,000
UA Transportation Hybrid Electric Vehicle & Fuel Cell Research Program, AL	1,250,000
WestStart Vehicular Flywheel Project, WA	1,000,000
Worcester Polytechnic University Center for Human Impact Protection System, MA	350,000
Interstate digital image exchange project	2,000,000
Northern Illinois University Transportation Fuel Cell Research, IL	750,000
Data Exchange Technology Demonstration, NH	500,000
PVTA Hydrogen Battery and Electric Bus Program, MA	1,000,000
NC State University Center for Transportation and the Environment, NC	1,000,000
National Transit Institute, Rutgers Univ.—TELLUM Project, NJ	500,000
San Francisco Muni Alternative Fuels New Technology Consortium, CA	500,000

Interstate digital image exchange project and online verification of birth records.—The conference agreement provides $2,000,000 to expand the interstate digital image exchange and for pilot projects to conduct online verification of birth and death records nationwide. Amounts shall be made available by contract or by grant to the American Association of Motor Vehicle Administrators, states, or other appropriate entities the Secretary deems necessary.

WORKING CAPITAL FUND

The conference agreement includes a limitation of $116,715,000 for working capital fund activities as proposed by the

House and the Senate. The conferees further agree to a general provision proposed by the Senate reducing funds for this account.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

The conference agreement provides an appropriation of $900,000 for the minority business resource center program and limits loans under the program to $18,367,000, as proposed by both the House and the Senate.

MINORITY BUSINESS OUTREACH

The conference agreement provides $3,000,000 for minority business outreach as proposed by the House and the Senate.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement provides $52,000,000 for payments to air carriers, to be derived from the airport and airway trust fund, as proposed by the Senate. The House proposed $63,000,000 from the airport and airway trust fund under the Federal Aviation Administration. In addition to these funds, the program will receive $50,000,000 in mandatory spending pursuant to the Federal Aviation Authorization Act of 1996, resulting in a program budget of $102,000,000. Funding is to be derived from the airport and airway trust fund and is available until expended, as proposed by both the House and Senate.

Cost-sharing pilot program.—The conference agreement includes language proposed by the Senate prohibiting the implementation of a mandatory cost-sharing pilot program.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

The conference agreement includes $7,530,925,000 for operations of the Federal Aviation Administration, instead of $7,532,000,000 proposed by the House and $7,535,648,000 proposed by the Senate. Of the total amount provided, $4,500,000,000 is to be derived from the airport and airway trust fund instead of $4,043,000,000 proposed by the House and $6,000,000,000 proposed by the Senate. Funds are distributed in the bill by budget activity, as proposed by the Senate.

Contract tower cost-sharing.—The bill specifies $6,500,000 for continuation of the contract tower cost-sharing program as proposed by the Senate instead of $7,500,000 as proposed by the House.

Rule implementing exemption process for mandatory retirement.—The conference agreement includes language proposed by the House requiring the Secretary of Transportation to issue, not later than March 1, 2004, final regulations establishing an exemption process for individual air traffic controllers to delay mandatory retirement until not later than age 61. The Senate bill included no similar provision.

Level of operational air traffic control supervisors.—The conference agreement includes language proposed by the House speci-

fying that $4,000,000 of funds under this heading are available only to raise the level of operational air traffic control supervisors to 1,726. The Senate bill included no similar provision.

Memoranda of understanding.—The conference agreement modifies language proposed by the House related to the implementation of memoranda of understanding or memoranda of agreement between FAA and its bargaining units. The modification would prohibit funds from continuing to implement an existing MOU or MOA if such documents are not filed in a central registry after January 1, 2004.

Administration of government credit cards.—The agreement includes language proposed by the House related to FAA management of government credit cards. The Senate bill included no similar provision.

The following table compares the conference agreement to the President's budget and the levels proposed in the House and Senate bills by budget activity:

	House bill	Senate bill	Conference agreement
Air Traffic Services	$6,096,800,000	$6,096,800,000	$6,096,800,000
Adjustments to the budget estimate:			
Delete additional controller staffing	−14,095,000		−14,095,000
Controller in charge payments	−1,250,000		−1,250,000
First line supervisory staffing	4,000,000		4,000,000
Contract tower cost-sharing	7,500,000	6,500,000	6,500,000
NAS handoff	−16,231,000		−16,231,000
Medallion program		4,000,000	3,000,000
Unspecified		−60,000,000	−25,000,000
Amount recommended	6,076,724,000	6,047,300,000	6,053,724,000
Aviation Regulation and Certification	873,374,000	873,374,000	873,374,000
Adjustments to the budget estimate:			
Alien species action plan	−3,000,000		0
Medallion program	−1,500,000		0
Transfer of staffing from Office of Policy	1,321,000		0
Transfer from F&E CFMSS and ASIS	1,120,000		1,120,000
Drug and alcohol compliance testing	−810,000		−810,000
Non-precision GPS approaches		5,000,000	3,000,000
Unspecified		−5,000,000	0
System approach for safety oversight			3,000,000
ASKME project			1,000,000
Amount recommended	870,505,000	873,374,000	880,684,000
Research and Acquisitions	218,481,000	218,481,000	218,481,000
Adjustments to the budget estimate: Amount recommended	218,481,000	218,481,000	218,481,000
Commercial Space Transportation	12,601,000	12,601,000	12,601,000
Adjustments to the budget estimate: Reduction on staffing	−825,000		−825,000
Amount recommended	11,776,000	12,601,000	11,776,000
Financial Services	49,783,000	49,783,000	49,783,000
Adjustments to the budget estimate: Amount recommended	49,783,000	49,783,000	49,783,000
Human Resource Management	82,029,000	82,029,000	82,029,000
Adjustments to the budget estimate:			
Organizational development staff	−375,000		0

	House bill	Senate bill	Conference agreement
Additional reduction to assumed base	−6,287,000	−5,000,000	−5,500,000
Amount recommended	75,367,000	77,029,000	76,529,000
Regions and Centers	84,749,000	84,749,000	84,749,000
Adjustments to the budget estimate: Restore base reduction	3,000,000		2,000 000
Amount recommended	87,749,000	84,749,000	86,749,000
Staff Offices	143,150,000	143,150,000	143,150,000
Adjustments to the budget estimate:			
International program—staffing reduction	−1,000,000		0
Transfer of Policy staff to AVR	−1,321,000		0
Office of Public Affairs staffing	−200,000		−200,000
Office of Civil Rights	−200,000		−200,000
Unallocated		−500,000	−500,000
Amount recommended	140,429,000	142,650,000	142,250,000
Information Services	29,681,000	29,681,000	29,681,000
Adjustments to the budget estimate: Amount recommended	29,681,000	29,681,000	29,681,000
Accountwide Adjustments:			
Official time savings	−6,500,000		−6,500,000
Janitorial and guard services	−2,504,000		−2,504,000
TASC costs	−6,275,000		−2,000,000
Cash awards	−3,228,000		−3,228,000
Civil aviation security positions	−500,000		−500,000
Improved mgmt of govt. credit cards	−500,000		0
Travel	−8,988,000		−4,000,000
Amount recommended	−28,495,000		−18,732,000
Total recommended	7,532,000,000	7,535,648,000	7,530,925,000

Deployable flight incident recorders.—The conferees are aware of technology that makes flight data recorders, cockpit voice recorders, and emergency locator transmitters more survivable and recoverable, such as through systems integrating these devices into one unit combined with crash sensors, allowing them to eject automatically from an aircraft upon impact and thus delivering them safely away from the impact site. The conferees encourage the FAA to investigate and consider implementing regulations that incorporate such systems into the commercial air traffic fleet.

Commercial space launch regulations.—For over four decades, the U.S. Air Force has supervised commercial space launch operations at Cape Canaveral Air Force Station and other federal ranges, resulting in an impeccable safety record. The conferees have been advised that the FAA is considering commercial space launch regulations, and are concerned that the FAA not introduce new regulations that are unnecessary, duplicative, or which introduce undue costs relative to existing Air Force regulations on this industry.

Non-precision GPS approaches.—The conference agreement provides an additional $3,000,000 to continue work to develop and publish an increased number of non-precision instrument approaches for airports that are not part 139 certified.

International Summit on Aviation Safety and Security.—The conferees acknowledge the success of the International Summit on Aviation Safety and Security established by the George Washington University, and urge the FAA to continue funding as long as the agency believes that it enhances aviation safety and security.

Administration of potential shortfall due to essential air service transfer.—The conferees agree that the FAA Administrator has the flexibility to propose the use of funds in either the "Operations" or "Facilities and equipment" appropriations to address any shortfalls in essential air service funding for which FAA resources are required under existing law. The Administrator is directed to advise the House and Senate Committees on Appropriations on the appropriations and programs from which these funds would be drawn.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes $2,910,000,000 for "Facilities and equipment", instead of $2,900,000,000 as proposed by the House and $2,916,000,000 as proposed by the Senate. Of the total amount available, $420,841,200 is available for one year, and $2,489,158,800 is available for three years. The bill specifies that, of the total funding provided, $3,000,000 is for audit services to be performed by the Defense Contract Audit Agency, instead of $7,000,000 as proposed by the House; and $25,000,000 is for the Houston area air traffic system, instead of $20,000,000 as proposed by the House. The conference agreement does not include the $100,000,000 proposed by the Senate for transfer to the "Grants-in-aid for airports" program. Funds for this program are provided in their entirety under "Grants-in-aid for airports".

The following table provides a breakdown of the House and Senate bills and the conference agreement by program:

Item	FY 2004 estimate	House	Senate	Conference agreement
Category 1: Improve Aviation Safety	$273,900,000	$274,180,000	$266,800,000	$280,780,000
Terminal Business Unit	137,600,000	135,600,000	112,500,000	122,100,000
Aviation Weather Services Improvements	13,200,000	13,200,000	22,200,000	22,200,000
Low Level Windshear Alert System (LLWAS)—Upgrade	3,900,000	3,900,000	2,700,000	2,700,000
Aviation Safety Analysis System (ASAS)	13,900,000	12,100,000	6,900,000	6,900,000
Integrated Flight Quality Assurance (IFQA)	2,100,000	0	500,000	0
Safe Flight 21	30,300,000	30,300,000	30,300,000	30,300,000
Advanced Technology Development and Prototyping	42,800,000	52,600,000	76,600,000	70,100,000
Aircraft Related Equipment Program	13,700,000	12,580,000	9,200,000	12,580,000
National Aviation Safety Data Analysis Center (NASDAC)	1,900,000	1,900,000	1,900,000	1,900,000
Louisville, KY technology demonstration	0	8,000,000	0	8,000,000
Volcano Monitoring	0	0	4,000,000	4,000,000
System Approach for Safety Oversight	12,000,000	3,000,000	0	0
Aviation Safety Knowledge Management Environment	2,500,000	1,000,000	0	0
Category 2: Improve Efficiency of the Air Traffic Control System	934,128,300	926,773,300	1,010,003,300	1,005,895,000

Item	FY 2004 estimate	House	Senate	Conference agreement
Terminal Business Unit	458,128,300	0	479,978,300	0
Standard Terminal Automation System Replacement	0	119,800,000		119,800,000
ARTS/DBRITE Sustainment	0	30,000,000		25,000,000
Terminal Interim Remote Tower Displays	0	2,500,000		2,500,000
Tower Datalink Services (TDLS)	0	2,500,000		2,500,000
ATCBI–6	0	20,000,000		20,000,000
ATC En Route Radar Facilities Improvements	0	2,700,000		2,700,000
Terminal ATC Facilities Replacement	0	151,245,000		158,245,000
ATC/TRACON Facilities Improvement	0	38,478,300		42,000,000
Terminal Digital Radar (ASR–11)	0	80,000,000		75,000,000
ASR–9 SLEP	0	21,950,000		23,000,000
Terminal Applied Engineering	0	3,400,000		4,000,000
Precision Runway Monitors	0	8,000,000		8,000,000
Houston Area Air Traffic System	0	20,000,000		25,000,000
PCS Moves	0	200,000		200,000
New York Integrated Control Complex	0	2,000,000		5,000,000
ARSR–4 Automated Technical Documentation	0	0	0	3,000,000
Aeronautical Data Link (ADL) Applications	23,150,000	6,550,000	13,000,000	10,000,000
Free Flight Phase 2	113,100,000	100,000,000	105,100,000	100,000,000
Air Traffic Management (ATM)	13,000,000	13,000,000	37,500,000	37,500,000
Free Flight Phase 1	37,400,000	27,000,000	37,400,000	32,000,000
Automated Surface Observing System (ASOS)	11,800,000	11,800,000	11,800,000	11,800,000
Next Generation VHF Air/Ground Communications System (NEXCOM)	85,850,000	85,850,000	85,850,000	85,850,000
En Route Automation Program	173,900,000	165,000,000	223,575,000	200,000,000
Weather and Radar Processor (WARP)	8,500,000	8,500,000	8,500,000	8,500,000
ATOMS Local Area/Wide Area Network	1,100,000	1,100,000	1,100,000	1,100,000
NAS Management Automation Program (NASMAP)	1,200,000	1,200,000	1,200,000	1,200,000
IDS—Flight Service Stations	2,000,000	2,000,000	0	0
IDS—Terminal Facilities	5,000,000	2,000,000	5,000,000	2,000,000
Category 3: Increase Capacity of the NAS	328,500,000	369,623,800	390,935,000	396,190,000
Navigation and Landing Aids	222,700,000	0	278,835,000	0
Local Area Augmentation System		28,100,000		34,400,000
Wide Area Augmentation System		117,923,800		100,000,000
VOR/DME		8,600,000		8,600,000
Approach Lighting System Improvement Program (ALSIP)		19,200,000		48,975,000
Instrument Landing System (ILS) Establishment		36,000,000		48,615,000
Runway Visual Range		7,000,000		7,000,000
DME Sustainment		4,000,000		4,000,000
NDB Sustainment		1,100,000		1,100,000
Visual Navaids (PAPI/REIL)		5,000,000		5,000,000
VASI Replace With PAPI		5,900,000		5,900,000
Navigation and Landing Aids Service Life Extension Pgm		0		0
Loran-C		25,000,000		22,500,000
Transponder Landing System (TLS)		6,000,000	6,300,000	6,300,000
Oceanic Automation System	69,000,000	69,000,000	69,000,000	67,000,000
Voice Switching and Control System (VSCS)	32,800,000	32,800,000	32,800,000	32,800,000
Instrument Approach Procedures Automation	4,000,000	4,000,000	4,000,000	4,000,000
Category 4: Improve Reliability of the NAS	472,710,000	456,240,000	268,210,000	359,440,000
Guam Center Radar Approach Control (CERAP)—Relocate	2,600,000	2,600,000	2,600,000	2,600,000
Terminal Voice Switch Replacement/Enhance TVS	12,000,000	14,200,000	18,500,000	16,000,000
Airport Cable Loop Systems—Sustained Support	5,000,000	5,000,000	6,500,000	6,500,000
En Route Automation Program	173,800,000	163,800,000	0	107,000,000

Item	FY 2004 estimate	House	Senate	Conference agreement
ARTCC Building Improvements/Plant Improvements	34,200,000	34,200,000	34,200,000	28,000,000
Air Traffic Management (ATM)	29,000,000	22,000,000	0	0
Critical Telecommunication Support	1,500,000	1,500,000	1,500,000	1,500,000
FAA Telecommunications Infrastructure (FTI)	51,200,000	51,200,000	51,200,000	51,200,000
Air/Ground Communications Infrastructure	24,100,000	24,100,000	24,100,000	24,100,000
Voice Recorder Replacement Program (VRRP)	3,300,000	3,300,000	3,300,000	3,300,000
NAS Infrastructure Management System (NIMS)	22,100,000	22,100,000	22,100,000	20,000,000
Flight Service Station (FSS) Modernization	5,800,000	5,800,000	5,800,000	5,800,000
FSAS Operational and Supportability Implementation System (OASIS)	19,710,000	19,710,000	19,710,000	19,710,000
Weather Message Switching Center Replacement	1,500,000	1,500,000	1,500,000	1,500,000
Flight Service Station Switch Modernization	5,400,000	5,400,000	5,400,000	2,000,000
Alaskan NAS Interfacility Communications System (ANICS)	900,000	900,000	900,000	900,000
Electrical Power Systems—Sustain/Support	51,000,000	51,000,000	45,000,000	45,000,000
NAS Recovery Communications (RCOM)	12,000,000	12,000,000	11,600,000	9,400,000
Aeronautical Center Infrastructure Modernization	13,000,000	13,000,000	11,700,000	13,000,000
Frequency and Spectrum Engineering	3,600,00	1,930,000	2,600,000	1,930,000
NAS Interference, Detection, Location and Mitigation	1,000,000	1,000,000	0	0
Category 5: Improve the Efficiency of Mission Support	458,221,700	452,341,700	444,571,700	446,853,800
NAS Improvement of System Support Laboratory	2,700,000	2,700,000	0	0
Technical Center Facilities	14,000,000	11,000,000	3,300,000	13,000,000
Technical Center Building and Plant Support	3,500,000	3,500,000	3,500,000	3,500,000
En Route Communications and Control Facilities Improvements	1,203,390	1,203,390	1,203,390	1,203,390
DOD/FAA Facilities Transfer	1,200,000	1,200,000	3,250,000	3,250,000
Terminal Communications—Improve	1,012,000	1,012,000	112,000	112,000
Flight Service Facilities Improvement	1,276,890	1,276,890	476,890	476,890
Navigation and Landing Aids—Improve	5,929,420	5,929,420	5,929,420	5,929,420
FAA Buildings and Equipment	11,200,000	11,200,000	11,200,000	11,200,000
Air Navigational Aids and ATC Facilities (Local Projects)	2,200,000	2,200,000	2,200,000	2,200,000
Computer Aided Eng and Graphics (CAEG) Modernization	2,000,000	2,000,000	1,000,000	1,000,000
Information Technology Integration	1,600,000	0	1,600,00	0
NAS Aeronautical Info Management Enterprise System	10,300,000	10,300,000	10,300,000	10,300,000
Logistics Support Systems and Facilities (LSSF)	5,000,000	5,000,000	5,000,000	5,000,000
Test Equipment—Maintenance Support for Replacement	4,000,000	4,000,000	4,000,000	4,000,000
Facility Security Risk Management	41,600,000	30,000,000	36,900,000	30,000,000
Information Security	11,500,000	8,000,000	11,500,000	8,000,000
Distance Learning	1,400,000	1,400,000	1,400,000	1,400,000
National Airspace System (NAS) Training Facilities	4,200,000	4,200,000	4,200,000	4,200,000
System Engineering and Development Support	28,300,000	28,300,000	25,800,000	25,800,000
Program Support Leases	41,100,000	41,100,000	41,100,000	41,100,000
Logistics Support Services (LSS)	7,900,000	7,900,000	7,900,000	7,900,000
Mike Monroney Aeronautical Center—Leases	14,600,000	14,600,000	14,600,000	14,600,000
In-Plant NAS Contract Support Services	2,800,000	9,800,000	0	0
DCAA Audits	0	0	0	3,000,000
Transition Engineering Support	39,800,000	39,800,000	35,000,000	35,000,000
FAA Corporate Systems Architecture	1,000,000	1,000,000	0	0
Technical Support Services Contract (TSSC)	47,600,000	47,600,000	46,700,000	42,562,100

Item	FY 2004 estimate	House	Senate	Conference agreement
Resource Tracking Program (RTP)	3,600,000	3,600,000	3,600,000	3,600,000
Center for Advanced Aviation System Development	90,800,00	84,620,000	82,000,000	84,620,000
Operational Evolution Plan	2,000,000	0	26,000,000	21,000,000
NAS Facilities OSHA and Environmental Standards Compliance	28,300,000	28,300,000	28,300,000	28,300,000
Fuel Storage Tank Replacement and Monitoring	5,600,000	5,600,000	7,500,000	5,600,000
Hazardous Materials Management	19,000,000	19,000,000	19,000,000	19,000,000
Research Aircraft Replacement	0	15,000,000	0	10,000,000
Category 6: PCB&T Only	448,540,000	420,841,200	435,480,000	420,841,200
Personnel and Related Expenses	448,540,000	420,841,200	435,480,000	420,841,200
Category 7: Accountwide Adjustments	0	0	100,000,000	0
Airports Grants	0	0	100,000,000	0
Totals	2,916,000,000	2,900,000,000	2,916,000,000	2,910,000,000

Terminal air traffic control facilities replacement.—The conference agreement provides $158,245,000 for this program. Funds shall be distributed as follows:

Location	*Conference agreement*
Atlanta, GA	$74,159,900
Cleveland, OH	4,000,000
Morristown, NJ	1,300,000
Dayton, OH	4,000,000
Wilkes Barre, PA	920,000
Oshkosh, WI	385,000
Toledo, OH	975,000
Abilene, TX	1,760,000
Cahokia, IL	625,000
Memphis, TN	5,000,000
Baltimore, MD	600,000
Deer Valley, AZ	5,658,300
Oakland, CA	21,636,600
Manchester, NH	8,300,000
St. Louis, MO (Tracon)	1,195,500
Addison Field, Dallas, TX	2,005,000
Reno, NV	2,000,000
Seattle, WA	2,000,000
Seattle, WA (Tracon)	5,280,000
Fort Wayne, IN	1,220,000
Newark, NJ	500,000
Port Columbus, OH	700,000
Billings, MT	3,000,000
Savannah, GA	1,000,000
Newburgh, NY	1,500,000
Richmond, VA	1,000,000
Vero Beach, FL	750,000
Everett, WA	2,000,000
Roanoke, VA	1,500,000
Merrimack, NH (Tracon)	3,217,700
Phoenix, AZ	3,027,000
Warrenton, VA	4,110,000
Dulles International, Chantilly, VA	4,500,000
Topeka, KS	1,500,000
Newport News, VA	2,000,000
Battle Creek, MI	1,000,000
Mathis, CA	4,300,000
Huntsville International	8,000,000
Front Range Airport, CO	2,920,000

Location	*Conference agreement*
McCarran International, NV	4,000,000
Cherry Capital Airport, MI	4,000,000
Spokane International, WA	8,000,000
Boise Airport, ID	4,000,000
Phoenix Sky Harbor, AZ	2,000,000
Tulsa International Airport, OK	2,500,000
Kalamazoo/Battle Creek Intl, MI	2,500,000
Palm Beach International, FL	1,600,000
Provo, UT	1,000,000
Missoula, MT	3,000,000
Las Cruces, NM	1,100,000
Traverse City, MI	2,000,000
Long Island, NY	1,000,000
John C. Stennis, Pascagoula, MS	2,000,000
Total	158,245,000

Precision runway monitors.—The conferees expect the FAA to proceed with the acquisition, installation, and operation of a precision runway monitor at Cleveland Hopkins International Airport. The City of Cleveland has devoted significant time and effort to facilitate the acquisition of a PRM system to complement runway improvements at the airport. Because the PRM is a key component of the overall modernization effort, the conferees expect FAA to proceed expeditiously with this project to ensure the PRM is operational when the new runway opens in the year 2004.

Advanced technology development and prototyping.—The conference agreement includes $70,100,000 for advanced technology development and prototyping instead of $52,600,000 as proposed by the House and $76,600,000 as proposed by the Senate. The following table compares the conference agreement to the House and Senate bills by budget activity:

	House bill	Senate bill	Conference agreement
Runway incursion	$8,200,000	$8,200,000	$8,200,000
Aviation system capacity improvement	6,500,000	6,500,000	6,500,000
Separation standards	2,500,000	2,500,000	2,500,000
Airspace management laboratory	7,000,000	0	0
GA/vertical flight technology	1,400,000	1,400,000	1,400,000
Operational concept validation	2,700,000	2,700,000	2,700,000
Software engineering	1,500,000	0	0
NAS requirements development	3,000,000	3,000,000	3,000,000
Domestic RVSM	1,900,000	1,900,000	1,900,000
Safer skies	3,400,000	3,400,000	3,400,000
Lithium technologies to mitigate ASR	1,000,000	0	1,000,000
Wind/weather research, Juneau, AK	0	6,000,000	6,000,000
Phased array radar technology	3,000,000	0	3,000,000
Airport research	7,500,000	15,000,000	12,000,000
Fogeye	0	0	2,000,000
Required navigation performance (RNP)	2,000,000	0	0
NAS safety assessment	1,000,000	1,000,000	1,000,000
Automated airborne flight alert system	.....	3,500,000	3,000,000
Cabin air quality research	.....	8,500,000	8,500,000
Pulsed fast neutron analysis (PFNA)	.....	7,500,000	4,000,000
Unspecified	.....	5,500,000	0
Total	52,600,000	76,600,000	70,100,000

Airport research.—Of the $12,000,000 provided, $4,000,000 is for the airfield improvement program under section 905 of Public Law 106–181 and to expand the program to include asphalt; and $1,500,000 is to continue evaluation of the runway obstruction

warning system at Gulfport-Biloxi Airport, MS, as proposed by the Senate.

Automated airborne flight alert system.—The conference agreement provides $3,000,000 for the Automated Airborne Flight Alert System (AAFAS). The AAFAS program is a demonstration of a prototype rapid response capability to transmit flight data from commercial-type aircraft using data management and communications equipment already installed on most modern aircraft through software modernization. The conferees agree that the funding is a continuation of previous AAFAS work presently underway.

Pulsed fast neutron analysis.—The conferees agree to provide $4,000,000 for a demonstration of pulsed fast neutron analysis technology at George W. Bush Intercontinental Airport in Houston, Texas, instead of $7,500,000 proposed by the Senate. The conferees direct FAA to provide a status report on this demonstration to the House and Senate Committees on Appropriations no later than July 1, 2004.

Standard terminal automation replacement system (STARS).—In a recent audit, the Inspector General has raised several concerns over the deployment strategy for the STARS system, and has recommended that the FAA perform detailed life cycle cost analyses justifying the costs and benefits of replacing the common ARTS sites with STARS. While the conferees support the STARS program, it is not clear at this time whether the most cost-effective strategy would result in an all-STARS deployment, or one where common ARTS and STARS are both maintained in the national airspace system. The conferees direct the agency not to obligate the government contractually during fiscal year 2004 to actions which would involve replacement of common ARTS systems or ARTS color displays until the Inspector General reviews and validates the life cycle cost studies and other relevant analyses provided to FAA's Joint Resources Council to justify and rebaseline the program. However, this does not prohibit the agency from including such activities in contract options that the agency could exercise after full review and approval is received. The conferees are neutral on the issue of STARS deployment, and await the FAA's detailed analyses and the Inspector General's review.

En route automation.—The conferees provide $307,700,000 for en route automation, a reduction of $40,000,000 below the budget estimate. The conferees agree that this program requires close scrutiny, including the IG review directed by the Senate.

Approach lighting system improvement program.—The conference agreement for this program shall be distributed as follows:

Location	Item	Conference agreement
Items included in budget		$14,200,000
Max Westheimer Airport, OK	Install MALSR with REIL and ILS	800,000
Gary/Chicago Airport, IN	Replace naviad; upgrade RVR; centerline lighting	1,200,000
Baton Rouge Metro, LA	Category II runway lighting	1,000,000
North Las Vegas and Henderson Executive, NV	REILs	500,000
Lambert St. Louis Intl, MO	Navaids; ASDE–X; ATCT; PRM; ALSF–2 relocate	2,000,000
Hartsfield International, GA	Install ALSF–2 on runway 26R and 27L	2,000,000
Cincinnati International, OH	Navaids for new north-south runway, 17/35	2,000,000
Wichita Mid-Continent, KS	Instrument approach lighting, runway 19L	500,000
Colonel James Jabara Airport, KS	Instrument approach lighting	600,000
Various nationwide	National procurement of MALSR systems	5,000,000

Location	Item	Conference agreement
Alaska statewide rural lighting phase III	Airfield lighting	8,000,000
Bessmer Regional, AL	Lights and navigation aids	250,000
Cleveland Hopkins International, OH	Precision approach path indicators (PAPI)	175,000
False Pass, AK	Navigational lighting	2,000,000
Green County Regional, GA	MALSR	250,000
Hartsfield International, GA	ALSF–2 approach lighting system (5th runway)	2,000,000
Rhode Island Airport Corporation	REIL and PAPI	2,500,000
Seattle-Tacoma International, WA	Approach lighting for runway 16	4,000,000
Total		48,975,000

Instrument landing system establishment.—The conference agreement for this program shall be distributed as follows:

Location	Item	Conference agreement
Items in President's budget	Various nationwide	$20,700,000
Reduction to President's budget	Various nationwide	−2,700,000
Gadsden Airport, AL	Purchase and install ILS	2,000,000
McCook Municipal, NE	Purchase and install ILS	910,000
Leesburg Executive, VA	Purchase and install ILS/glideslope	1,000,000
Baxter County Regional, AR	Purchase and install ILS	1,000,000
Logan Airport, UT	Purchase and install ILS with MALSR	1,750,000
Lee Gilmer Memorial, GA	Purchase and install ILS	1,000,000
Eugene Airport, OR	Install category I ILS with ALS, PAPI, REILs	750,000
Harnett County Airport, NC	Purchase and install ILS	700,000
Eagle River Union A/P, WI	Install localizer, ALS, and DME	625,000
Anson County Airport, NC	ILS and AWOS	1,500,000
Freeman Municipal Airport, IN	Glideslope and AWOS	355,000
Bishop Airport, CA	Purchase and install ILS	800,000
Stevens Point Municipal, WI	Install ILS, DME, glideslope, localizer, MALSR and outer marker.	1,500,000
Cleveland Hopkins Intl, OH	Purchase and install ILS on runway 10; 2 PAPIs	1,500,000
Big Sandy Airport, KY	Purchase and install ILS	300,000
Williamsburg/Whitley Cty, KY	Purchase and install ILS	1,000,000
Baraboo-Wisconsin Dells, WI	Unspecified	375,000
Baton Rouge Municipal, LA	Unspecified	500,000
Cincinnati/N. Kentucky Intl, OH	Unspecified	1,500,000
Craig SPB, AK	Unspecified	2,000,000
Eagle County Regional, CO	Unspecified	2,000,000
North Little Rock Municipal, AR	Unspecified	1,200,000
Eastern Iowa, IA	Unspecified	1,500,000
O'Hare International, Chicago, IL	Unspecified	1,500,000
Olive Branch, MS	Unspecified	850,000
Sumter Municipal, SC	Unspecified	1,500,000
Western Nebraska Regional/William B. Helig Field, NE.	Unspecified	1,000,000
Total		48,615,000

Oceanic automation system.—The conferees agree to an IG audit of this program, as proposed by the Senate, but direct the IG to compare FAA's pursuit of oceanic automation capabilities not only to the experience of NavCanada, but to Airservices Australia and other major oceanic ATC service providers.

New York integrated control complex.—The conferees agree to provide $5,000,000 for continued analysis of a New York integrated control complex as proposed by the Senate instead of $2,000,000 proposed by the House. While the conferees support further analysis of this potential consolidation, such project should not receive higher funding or schedule priority than the Houston area air traf-

fic system, which preceded it in time and is projected to provide significant benefit to air traffic in that region. Given future budget constraints, it is likely that the agency will have to phase consolidation projects, no matter how meritorious. First funding priority should be given to the Houston project, which is already underway.

Determination of operations versus capital budgeting.—The House and Senate Committees have noted several instances this year of activities budgeted in the capital appropriation that appear to be ongoing operating expenses. In many cases, these expenses have been either denied or transferred to the operations budget. While the conferees understand there is significant pressure on FAA's operating budget, those pressures should be addressed by controlling or avoiding the expenses directly, rather than by transferring them to another account. To gain further insight into this issue, the conferees direct the U.S. General Accounting Office to conduct an audit of FAA's policies for determining when an expense should be budgeted in the operating budget or the capital budget. This should include a detailed look at policies and practices for budgeting personnel compensation, benefits, travel, and related expenses in the capital budget. In addition, the conferees request the GAO to compare these policies to those of the Department of Defense and other civilian agencies with large acquisition budgets. This report should be submitted to the House and Senate Committees on Appropriations by April 15, 2004.

Free flight phase one.—The conferees believe that some of the activities presented under this program appear to be for sustaining engineering or similar operating expenses. The conferees encourage FAA to include those expenses in the agency's operating budget in future budget requests.

Global communication, navigation, and surveillance systems initiative.—The conference agreement includes $20,000,000 for the global communication, navigation, and surveillance systems (GCNSS) initiative. The conferees direct the FAA to submit a report on this initiative to the House and Senate Committees on Appropriations no later than March 31, 2004. The report should detail the status of planned fiscal year 2004 activities for the program as well as the anticipated future funding requirements for this initiative.

VOR/DME.—The conferees agree that, of the funds provided for VOR/DME, the following allocations shall be made, as proposed by the House: Sarasota/Bradenton International Airport, FL (relocate VORTAC, including land acquisition), $4,500,000; John F. Kennedy Memorial Airport, WI (install VOR and DME), $400,000; and Rice Lake Regional Airport, WI (install VOR and DME), $400,000.

Facilities at the FAA Technical Center.—The conferees request the FAA Administrator to submit a report to the House and Senate Committees on Appropriations, no later than February 15, 2004, concerning the status of civil aviation security research and development facilities at the FAA Technical Center. The report should address any facilities or space formally transferred to the Department of Homeland Security as well as cost savings attributable to such transfer. The responsibilities for civil aviation security were largely transferred to DHS in 2001. Although the FAA had several

security-related facilities at the FAA Technical Center, it is not yet clear from budget documentation whether appropriate facilities costs and support costs have been adjusted to reflect the transfer of this mission.

Facility security risk management.—The conferees are not clear why this program has such a large unobligated balance, given the agency's internal reprogramming of funds to accelerate these projects in late 2001 and supplemental funding provided in the same year. The FAA is directed to provide a report, no later than January 15, 2004, to the House and Senate Committees on Appropriations explaining the cause of the unobligated balance and the agency's plan to eliminate it. Considering this backlog, the conference agreement provides $30,000,000 as proposed by the House instead of $36,900,000 as proposed by the Senate.

DCAA audits.—The conferees share the concern of the House that FAA should not be curtailing Defense Contract Audit Agency (DCAA) audits when ongoing programs still suffer major cost overruns and billing disputes. When this responsibility was transferred to individual modes from the Office of Inspector General a few years ago, the IG warned that agencies should not be allowed to reduce or eliminate those audits. Unfortunately, due to lax management the agency has done just that. The conferees re-emphasize to FAA that these valuable audits should be increased and used on most, if not all, major acquisition programs of the agency. The conference agreement includes $3,000,000 solely for this purpose.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

The conference agreement includes a rescission of unobligated balances from "Facilities and equipment" of $30,000,000. The Secretary is directed to advise the House and Senate Committees on Appropriations on the distribution of this rescission prior to its implementation.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement provides $119,439,000 for research, engineering, and development instead of $108,000,000 as proposed by the House and $118,939,000 as proposed by the Senate. The following table compares the conference agreement to the budget estimate and the House and Senate bills by budget activity:

Program	House bill	Senate bill	Conference agreement
Improve Aviation Safety:			
Reduce commercial aviation fatalities:			
Fire research and safety	$8,458,000	$8,725,000	$9,725,000
Propulsion and fuel systems	802,000	4,802,000	4,802,000
Advanced materials/structural safety	1,244,000	5,244,000	5,744,000
Flight safety/atmospheric hazards	3,217,000	4,217,000	3,217,000
Aging aircraft	18,336,000	17,036,000	17,036,000
Aircraft catastrophic failure prevention	762,000	762,000	762,000

Program	House bill	Senate bill	Conference agreement
Flightdeck safety/systems integration	6,782,000	6,782,000	6,782,000
Reduce general aviation fatalities:			
Propulsion and fuel systems	344,000	1,344,000	1,844,000
Advanced materials/structural safety	1,522,000	1,522,000	1,522,000
Flight safety/atmospheric hazards	1,378,000	1,378,000	1,378,000
Aging aircraft	3,584,000	3,584,000	3,584,000
Flightdeck safety/systems integration	1,612,000	1,612,000	1,612,000
Aviation System Safety:			
Aviation safety risk analysis	6,926,000	7,898,000	7,898,000
ATC/AF human factors	8,899,000	8,899,000	8,899,000
Aeromedical research	6,382,000	9,382,000	8,882,000
Weather research	20,852,000	20,852,000	20,852,000
Improve Efficiency of the ATC System: Weather research efficiency	5,000,000	3,000,000	3,000,000
Reduce Environmental Impacts: Environment and energy	7,975,000	7,975,000	7,975,000
Improve Mission Efficiency:			
System planning and resource mgmt	500,000	500,000	500,000
Technical laboratory facilities	3,425,000	3,425,000	3,425,000
Total	108,000,000	118,939,000	119,439,000

Reduce Commercial Aviation Fatalities

Fire research and safety.—Of the funds provided for fire research and safety, $1,000,000 is for an advanced cargo monitoring system, and $1,000,000 is for advanced reticulated polyurethane safety foam.

Propulsion and fuel systems.—Of the funds provided for propulsion and fuel systems, $3,000,000 is to study molecular markers designed to detect the adulteration or dilution of jet fuel and $1,000,000 is for the Specialty Metals Processing Consortium.

Advanced materials/structural safety.—Of the funds provided for advanced materials/structural safety, $4,000,000 is for the National Institute for Aviation Research and $500,000 is for the FAA Center for Excellence for Applied Research and Training in the Use of Advanced Materials in Transport Aircraft.

Reduce General Aviation Fatalities

Propulsion and fuel systems.—Of the funds provided for propulsion and fuel systems, $1,000,000 is for ethanol fuel research as proposed by the Senate, and $500,000 is for continued research into technologies for modifications to existing general aviation piston engines to enable their safe operation using lower octane unleaded fuel.

Aviation System Safety

Aeromedical research.—Within the amount provided for aeromedical research, the conference agreement includes $2,500,000 for the studies and analysis called for in the National Research Council's study on the impact of cabin air quality on crew and passenger health.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes a liquidating cash appropriation of $3,400,000,000, as proposed by the Senate. The House had no similar appropriation.

Obligation limitation.—The conferees agree to an obligation limitation of $3,400,000,000 for the "Grants-in-aid for airports" program as proposed by the Senate. The House bill contained no similar limitation.

Administration.—The conference agreement includes a limitation on administrative expenses of $66,254,000 instead of $66,638,000 as proposed by the Senate. The conference agreement distributes funding as follows:

Activity	*Amount*
FY03 base amount	$63,207,000
Mandatory adjustments	2,907,000
Discretionary adjustments:	
Airport financial reporting system	−500,000
PFC program analysis	−300,000
Environmental streamlining	225,000
Airport data system modification	400,000
Wildlife hazard mitigation	315,000
Total	66,254,000

Small community air service development pilot program.—The bill includes $20,000,000 under the obligation limitation to continue the small community air service development pilot program, as proposed by the Senate. The House had no similar funding. This is consistent with actions taken in fiscal years 2002 and 2003.

Installation of bulk explosive detection systems.—The bill includes a provision proposed by the Senate prohibiting funds for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements necessary to install bulk explosive detection systems. Funding responsibility for these activities has now transferred to the Department of Homeland Security.

San Diego Airport.—The conferees remain concerned over the Air Transportation Action Plan (ATAP) site selection process being conducted by the San Diego County Regional Airport Authority. The authority has selected sites for review without considering whether the potential sites are even available. Of particular concern, most of the selected sites are important active military installations which are unavailable for civilian use.

Priority consideration for letters of intent.—The conferees agree that FAA should give priority consideration to letter or intent applications for improvement projects at Gary/Chicago Airport and Birmingham International Airport during fiscal year 2004.

High priority projects.—Of the funds covered by the obligation limitation in this bill, the conferees direct FAA to provide not less than the following funding levels, out of available resources, for the following projects in the corresponding amounts. The conferees

agree that state apportionment funds may be construed as discretionary funds for the purposes of implementing this provision. To the maximum extent possible, the administrator should work to ensure that airport sponsors for these projects first use available entitlement funds to finance the projects. However, the FAA should not require sponsors to apply carryover entitlements to discretionary projects funded in the coming year, but only those entitlements applicable to the fiscal year 2004 obligation limitation. The conferees further direct that the specific funding allocated above shall not diminish or prejudice the application of a specific airport or geographic region to receive other AIP discretionary grants or multiyear letters of intent.

Airports to receive priority consideration for grant funding.—The conferees agree that Slidell Airport, LA and Paulding County Airport, GA are to be given priority consideration for discretionary grant funding by the FAA during fiscal year 2004.

Airport	Project description	Conference agreement
A. L. Mangham, Jr. Regional Airport, TX	Various improvements	$2,000,000
Abbeville Regional Airport, AL	Runway Extension	1,000,000
Abilene Regional, TX	Various improvements	2,000,000
Alaska statewide airports	Runway and related improvements	3,000,000
Albany International, NY	Runway extension	750,000
Altus/Quartz Mountain Regional, OK	Infrastructure improvements	500,000
Andrews Municipal Airport, SC	Pavement reconstruction	1,000,000
Andrews Murphy Airport, NC	Various improvements	1,521,900
Anoka County-Blaine Airport, MN	Runway Extension	2,000,000
Arnold Palmer Regional, PA	Extend runway 5–25	2,500,000
Atka Airport, AK	Runway Extension	1,500,000
Augusta Regional Airport at Bush Field, GA	Terminal Construction, Runway Rehabilitation, Various improvements.	2,500,000
Austin Straubel International Airport, WI	Various improvements	2,500,000
Bastrop-Morehouse Memorial Aviation Park, LA	Various improvements	800,000
Baton Rouge Metropolitan, LA	Noise mitigation; various improvements	2,100,000
Bert Mooney Airport, MT	Airport Improvements	750,000
Bessemer Airport, AL	Runway improvements, security improvements, and other improvements.	1,500,000
Birmingham International Airport, AL	Land Acquisition, Runway Extension	2,000,000
Bowman Field, KY	Apron & Taxiway Reconstruction	1,500,000
Bremerton National Airport, WA	Runway & Taxiway Lengthening & Strengthening	4,000,000
Brunswick County Airport, NC	Runway and taxiway improvements	500,000
Burlington-Alamance, NC	Runway extension	1,000,000
Cape May Airport, NC	Drainage system rehabilitation; obstruction study/removal.	1,080,000
Central Nebraska Regional Airport, NE	Rehabilitate Runway 17–35 and Connecting Taxiway.	2,000,000
Central Wisconsin Airport, WI	Primary air carrier runway/parallel taxiway reconstruction.	6,000,000
Chattanooga Metropolitan, TN	Rehabilitate runway 15/33	3,500,000
Chickasha Municipal, OK	Planning/justification for runway extension	100,000
Chippewa County International, MI	New terminal	1,000,000
Cincinnati Lunken Airport, OH	Apron construction	250,000
Clarion County Airport, PA	Runway expansion	1,500,000
Cold Bay Airport, AK	Terminal Facilities	1,000,000
Concord Regional Airport, NC	Runway Extension	2,750,000
Connellsville Airport, PA	Runway Expansion	850,00
Council Bluffs Municipal Airport, IA	Runway Expansion	2,000,000
Dane County Regional Airport-Truax Field, WI	Runway 14 Safety Area Construction	4,000,000
Dekalb Taylor Municipal, IL	MALSR; easements; glidseloope; land acquisition for RPZ.	4,555,000
Denton Municipal Airport, TX	Airport Improvements	2,000,000
Detroit Metropolitan Wayne County Airport, MI	Various improvements	3,500,000

Airport	Project description	Conference agreement
Double Eagle II Airport, NM	Runway 17–35 Reconstruction	2,000,000
Egegik Airport, AK	Runway Improvements	1,500,000
Elton Hensley Memorial Airport, MO	New Runway	2,900,000
Erie-Ottawa Regional Airport, OH	Various improvements	1,500,000
Fairbanks International, AK	Terminal redevelopment	1,000,000
Fairfield County Airport, SC	Runway extension	440,000
False Pass Airport, AK	Various Improvements	1,500,000
Fort Dodge Airport, IA	Extension of runway 12/30	734,000
Gallatin Field Airport, MT	Various Improvements	1,000,000
Galveston Scholes International, TX	Taxiway Improvement	2,500,000
General Mitchell International, WI	Taxiway construction, taxiway rehab, and apron rehab.	2,400,000
Glacier Park International Airport, Kalispell, MT	Various Improvements	750,000
Goshen Municipal, IN	ALP update, land and road relocation	1,000,000
Greene County Regional Airport, GA	Runway lengthening and improvement	1,000,000
Gulfport-Biloxi Regional Airport, MS	General Aviation & Cargo Development	2,850,000
Guntersville Municipal, AL	Various Improvements	500,000
Halifax-Northampton Regional, NC	Airport construction	1,000,000
Hammonton Airport, NC	Security fencing; construction of new apron; EA	585,000
Hancock International, NY	Various improvements, including acquisition of jetways.	750,000
Harnett County Airport, NC	Phase 2 runway and taxiway extension	1,000,000
Hector International Airport, ND	Runway Reconstruction	6,000,000
Helena Regional Airport, MT	Terminal Remodeling & Expansion Project	1,000,000
Hickory Regional Airport, NC	Runway lighting and apron pavement overlay	1,000,000
Houma Terrebone Airport, LA	Upgrade runway	3,000,000
Indiana County-Jimmy Stewart Airport, PA	Runway extension	810,000
Jackson International Airport, MS	Terminal, Apron & Taxiway Replacement, and other improvements.	1,500,000
Juneau Harbor Seaplane Base, AK	Snow Removal Equipment	1,000,000
Kay Larkin Municipal, FL	Update airport layout plan, perform environmental analysis.	750,000
Ketchikan International Airport, AK	Various Improvements	500,000
Killeen/Fort Hood Joint Use Airport, TX	Safety improvements	2,750,000
Kodiak Airport, AK	Terminal Improvements	1,000,000
La Crosse Municipal, WI	Taxiways	2,400,000
Lafayette Regional, LA	Taxiway and runway improvements	750,000
Lampson Airport, CA	Wastewater collection system	750,000
Lawrence Municipal, KS	Various improvements	1,000,000
Lehigh Valley International Airport, PA	Various Improvements	1,000,000
Long Island Islip MacArthur Airport, NY	Various improvements	1,000,000
Louis Armstrong New Orleans International Airport, LA.	Airfield Safety Improvement Program, Various improvements.	3,000,000
Louisville International, KY	Extension of west runway; upgrade runway safety area.	2,000,000
Mahlon Sweet Field, OR	Parallel Runway construction and other improvements.	2,250,000
Marion-Crittenden County Airport, KY	Runway Paving	800,000
Maryville Memorial Airport, MO	Terminal Facility, Various improvements	500,000
McKinney Municipal Airport, TX	Runway & Taxiway Rehabilitation	4,000,000
McMinn County Airport, TN	Lengthen/widen runway; extend taxiway; land acquisition.	2,000,000
Meadows Field, CA	Apron, taxiway improvements	5,000,000
Midway Airport, IL	Various improvements	4,000,000
Minneapolis-St. Paul International, MN	Pavement rehabilitation and de-icing pad	2,500,000
Missoula International Airport, MT	Land Acquisition	4,000,000
Mobile Downtown Airport (BFM), AL	Rehabilitate Ramp and other improvements	1,000,000
Montgomery Regional (Dannelly Field) Airport, AL	Terminal Expansion & Renovation	2,000,000
Monticello Airport, KY	Parallel taxiway extension	650,000
Mt. Pleasant Municipal, MI	Planning for upgrades	150,000
Nashville International Airport, TN	Taxiway Widening, Airfield Reconstruction	2,225,000
New Castle County Airport, DE	Rehabilitation of Runway 1–19 & Taxiway M	2,000,000
Niagara Falls International, NY	Apron expansion and taxiway	1,000,000
North Pickens Airport, AL	Land Acquisition, RSA Improvements, Runway Overlay.	500,000

Airport	Project description	Conference agreement
Northwest Arkansas Regional, AR	Construction of cargo apron and taxiway	2,500,000
Oakland County International, MI	Design of crosswind runway; upgrade lighting; noise program.	3,000,000
Ohio University, OH	Airport Improvements	1,000,000
Orlando Sanford International Airport, FL	9R/27L Runway Extension	500,000
Owensboro-Daviess County Airport, KY	Various Improvements to Terminal, Parking & Runway Areas.	1,000,000
Paragould Municipal, AR	Master plan and parallel taxiway	1,000,000
Paulding County Airport, GA	Runway construction	1,000,000
Pellston Regional Airport, Emmet County, MI	New Passenger Terminal Building	1,000,000
Philadelphia International, PA	Various improvements	2,250,000
Phoenix Sky Harbor International, AZ	Noise mitigation program	2,500,000
Pittsburgh International Airport, PA	Runway and taxiway improvements and terminal building modifications.	2,000,000
Plattsburgh International Airport, NY	Redevelopment and Capital Improvements	2,500,000
Port Authority of New York & New Jersey, NJ	School soundproofing	1,000,000
Pryor Field Regional, AL	Various improvements	3,000,000
Redlands Municipal, CA	Security enhancements: lighting, cameras, intrusion sensors.	200.000
Reno/Stead Airport, NV	Runway Reconstruction, Taxilane Construction, Overlay.	2,000,000
Rhode Island Airport Corporation	Various Improvements	1,000,000
Richard B. Russell Airport, GA	Environmental assessment for runway extension	200,000
Romeoville Lewis University Airport, IL	Runway construction, including ILS and land acquisition.	2,500,000
Rowan County Airport, KY	Runway extension to 5,500 feet	3,000,000
San Bernardino International, CA	Runway improvements	500,000
Sand Point Airport, AK	Terminal Improvements	1,000,000
Santa Teresa Airport, NM	Extension of runway and taxiway	2,000,000
Seattle-Tacoma International Airport, WA	Various Improvements	5,000,000
Seward Airport, AK	Master plan phase 2	125,000
Slidell Airport, LA	Various improvements	1,000,000
Somerset Airport, KY	Design/build passenger terminal; construct maint hanger.	3,500,000
Southern California Logistics Airport, CA	Engine rune up runway infrastructure improvements	1,000,000
Spirit of St. Louis Airport, MO	Taxiways	1,500,000
Springfield Branson Regional, MO	Midfield terminal design; ramps and access taxiways.	4,000,000
Springfield Municipal, OH	Land acquisition	150,000
St. Paul Island Airport, AK	Runway Paving	1,000,000
St. Petersburg/Clearwater International, FL	Runway extension	3,240,000
Statesville Municipal, NC	Extension of runway 10/28; ILS installation	1,500,000
Stockton Airport, CA	Air Cargo Center	500,000
Sugar Land Regional, TX	Construct apron and taxiway	3,600,000
Troy Municipal Airport, AL	Runway & Taxiway Extension, Apron Improvements	1,000,000
Tulsa International, OK	Various improvements	5,000,000
Tunica Airport, MS	Airfield construction and expansion	1,000,000
Twentynine Palms Airport, CA	Runway parking skirt renovation	250,000
Twin County Airport, VA	Runway and lighting rehabilitation	900,000
Unalaska Airport, AK	Terminal Facility	1,000,000
Upshur County Airport, WV	Runway extension and apron construction	660,000
Virginia Highlands Airport, VA	Apron, taxiways and road construction	750,000
Walnut Ridge Regional, AR	Various improvements	250,000
Wayne County Airport, OH	Various improvements	3,000,000
West Virginia Statewide	Various Improvements	8,000,000
Wichita Mid-Continent, KS	Construct taxiway L, taxiway R, and a compass rose.	2,000,000
Williams Gateway Airport, AZ	Runway Construction, Taxiway Repair	2,250,000
Willmar Municipal, MN	Runway improvements, lighting, and fencing	1,000,000
Wilmington International, NC	Runway and drainage improvements	1,000,000
Wright Army Airfield, GA	Runway rehabilitation	1,950,000
Yucca Valley Airport District, CA	Floor control protection along north side of runway	400,000

Alaska statewide airport improvement program.—The conferees are aware of plans for a floatplane airport to be located in the

Matanuska Susitna Borough. Within the funds provided to the State of Alaska for various airport improvements, the managers expect $2,000,000 to be made available for this facility once it has received the necessary approvals.

AVIATION INSURANCE REVOLVING FUND

The conference agreement deletes language proposed by the Senate authorizing funds for aviation insurance activities under 49 U.S.C. 443 ("war risk insurance"). This authorization is no longer needed for the orderly execution of the program.

GENERAL PROVISIONS—FEDERAL AVIATION ADMINISTRATION

The conference agreement includes a provision proposed by the House prohibiting funds for engineering work related to an additional runway at Louis Armstrong New Orleans International Airport in Louisiana.

The conference agreement includes a provision proposed by the House prohibiting funds for FAA to mandate without-cost space, utilities, or other items in airport sponsor-owned buildings. The Senate had a nearly identical provision with a technical difference in wording.

The conference agreement includes a provision proposed by the House prohibiting funds to change weight restrictions or prior permission rules at Teterboro Airport in New Jersey. The Senate bill contained a nearly identical provision under section 534.

The conference agreement includes a provision proposed by the Senate authorizing the FAA Administrator to accept funds from an airport sponsor, subject to certain conditions, for environmental reviews related to a project to add critical airport capacity.

The conference agreement deletes language proposed by the Senate requiring FAA to give priority consideration to airport improvement projects at Paulding County, Georgia.

The conference agreement includes a provision proposed by the Senate prohibiting funds to establish a pilot program where essential air service communities would be required to cost-share in the program.

The conference agreement deletes a provision proposed by the Senate authorizing FAA to give priority consideration to a letter of intent for extension of the main runway at the Gary/Chicago Airport, and requiring the Administrator to consider the application within 90 days of receiving it from the airport sponsor.

The conference agreement deletes a provision proposed by the Senate expressing the sense of the Senate that the Secretary of Transportation must consider the impact of aircraft noise on northern Delaware as part of the capacity enhancement program at Philadelphia International Airport.

The conference agreement deletes a provision proposed by the Senate specifiying that, of funds provided for FAA "Facilities and equipment", $2,000,000 is for air traffic control facilities at the John C. Stennis International Airport in Mississippi. Funding for this project has been provided under "Facilities and equipment".

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement limits administrative expenses of the Federal Highway Administration (FHWA) to $337,604,000 instead of $359,458,000 as proposed by the House and $337,834,000 as proposed by the Senate.

The conference agreement provides that $7,000,000 shall be made available under section 104(a)(1)(A) of title 23, U.S.C. to carry out environmental streamlining activities.

The conferees recommend the following adjustments to the budget request by program and activity:

Employee development	−$4,606,000
Employee multidisciplinary development program	+4,606,000
Information technology	−500,000
Additional staff	−646,000
FECA administrative costs	−84,000

Employee multidisciplinary development program.—Instead of providing $4,606,000 for the employee development program, the conference agreement provides these funds for the employee multidisciplinary development program, as directed in the House report. The conference agreement directs FHWA to provide a report to the House and Senate Committees on Appropriations by March 15, 2004 on this new program. The report should include the goal of the program, what activities it will support, how many employees are expected to participate, how employees are selected for the program, and how it is different from the employee development program funding in prior years.

Information technology planning.—The conference agreement provides $20,869,000 for information technology equipment, security, and support, instead of $21,369,000 as provided by the House and $20,369,000 as provided by the Senate. Consistent with the Senate, the conference agreement directs FHWA to develop a comprehensive plan to ensure that IT security and equipment upgrades are compatible and that any equipment acquisition is flexible and upgradeable. This report is to be transmitted to the House and Senate Committees on Appropriations by February 15, 2004.

Federal staff to oversee large projects.—The conference agreement provides $646,000 for six full time equivalents to help oversee FHWA major projects. The House did not include funding for this purpose, and the Senate proposed $1,292,000 for twelve full time equivalents.

FECA costs.—The conference agreement does not provide funds for workers compensation administrative costs, as proposed by the House.

FEDERAL-AID HIGHWAYS

The conference agreement limits obligations for the federal-aid highways program to $33,843,000,000, as proposed by the Senate, instead of $33,385,000,000 as proposed by the House.

Intelligent Bridge Systems.—As proposed by the House, the conference agreement directs FHWA to provide a report to the

House and Senate Committees on Appropriations on intelligent bridge systems no later than March 1, 2004.

Public lands.—The conference agreement includes language directing that funds allocated to FHWA's public lands discretionary program be derived from that program and not from funds allocated to the National Park Service's regions, as proposed by both the House and the Senate. In addition, the conferees direct that these funds not come from funds allocated to the Fish and Wildlife Service's regions, as proposed by the House.

I–66 westbound widening from Rosslyn Tunnel to Dulles Connector, Virginia.—The conference agreement provides that as of June 1, 2004, unobligated funds for the I–66 westbound widening from Rosslyn tunnel to Dulles Connector under the National Corridor Planning and Border Development Program shall be available to the Route 7 Widening project in Fairfax County, Virginia.

Miller Creek Bridge project.—The conference agreement directs FHWA to apply remaining funds provided in P.L. 107–87 for the environmental clearance process for the Miller Creek Bridge Project in Montana to final design, right of way acquisition, construction and construction engineering activities.

Alaskan Way Viaduct, Washington.—The conference agreement includes Senate language encouraging FHWA to work with state and local officials to determine the amount of emergency relief funds that should be committed to the Alaskan Way Viaduct project.

I–80 Colfax Narrows project.—The conference agreement includes $2,000,000 for the rehabilitation and reconstruction of a portion of the Interstate highway connecting eastern California and western Nevada in Placer County, CA. The states have been advancing the project and this funding will move the multi-year project into the next stage of development. The funds will be provided to the project by agreement with Nevada to improve the safety and reduce congestion on this section of Interstate highway.

U.S. Highway 67/167, North Little Rock, Arkansas.—The conferees recognize the potential for economic development in the North Hills area of North Little Rock. In order to alleviate congestion problems that would hinder that development, the conferees direct the Federal Highway Administration to work with the Arkansas Highway and Transportation Department and the City of North Little Rock to develop a plan for southbound access from U.S. Highway 67/167 near the intersection of Interstate 30 and Interstate 40 in North Little Rock, AR no later than March 1, 2004.

LIMITATION ON TRANSPORTATION RESEARCH

The conferees provide a general limitation on transportation research of $462,500,000, as proposed by both the House and the Senate.

SURFACE TRANSPORTATION RESEARCH

Within the funds provided for surface transportation research, the conference agreement includes $103,000,000 for highway research and development for the following activities:

Environmental, planning, real estate	$16,000,000

Research and technology program support	9,000,000
International research	400,000
Structures	14,000,000
Safety	11,500,000
Operations	13,000,000
Asset management	2,750,000
Pavements research	16,000,000
Long term pavement project (LTPP)	10,000,000
Advance research	600,000
Policy research	9,000,000
R&T strategic planning and performance measures	750,000

Environmental, planning, and real estate.—The conference agreement provides $16,000,000 for environmental, planning, and real estate research. Within the funds provided for this research activity, the FHWA is encouraged to provide $1,000,000 for the completion of the dust and persistent particulate abatement research in Kotzebue, Alaska, $250,000 for the Sacramento Region Blueprint, and $250,000 for the Central California Ozone Study.

Research and technology.—The conference agreement provides $9,000,000 for research and technology program support. Within the funds provided for this activity, the FHWA is encouraged to provide $750,000 for the University of Illinois Transportation Center, $750,000 for the Center on Coastal Transportation Research at the University of South Alabama, and $750,000 for the electromagnetic transportation research project at the University of Vermont to continue research into advanced ground penetrating radar systems.

International research.—The conferees have provided $400,000 for international research activities. Further, FHWA is directed by the conferees to consult the House and Senate Appropriations Committees before any international agreements are consummated that are likely to require financial support.

Structures.—The conference agreement provides $14,000,000 for structures research. Within the funds provided for structures research, the conferees encourage FHWA to provide $750,000 for the deployment of lithium technologies to prevent and mitigate alkali silica reactivity, $1,000,000 for the New York City Bridge Corrosion Monitoring Project, $250,000 for a demonstration project to evaluate the use of battery-powered cathodic protection to extend the life of concrete bridges located in extreme cold weather conditions, $1,000,000 to the Constructed Facilities Center at West Virginia University for the rapid deployment and durability of bridge structures constructed with advanced composite materials, $250,000 for the University of Delaware's Center for Innovative Bridge Engineering, $1,500,000 for the Infrastructure Renewal Research project at Washington State University, and $500,000 to support non-destructive structural evaluation technology at the New Mexico State University's Bridge Research Center.

Safety.—The conference agreement provides $11,500,000 for safety research. Within the funds provided for this activity, the conferees encourage FHWA to provide $250,000 to conduct a waterborne road marking evaluation at the Pennsylvania State University to understand the safety and environmental impacts of several pavement marking systems, and $500,000 to Washington State Department of Transportation for pilot projects to test Level-2 Warning/Positive protection gates for highway railroad grade crossings.

Operations and asset management.—The conference agreement provides $13,000,000 for operations and $2,750,000 for asset management. Within the funds provided for these activities, the conferees encourage FHWA to provide $750,000 for the National Steel Bridge Alliance, $200,000 for the Northwestern University Highways 2008, $100,000 for Wisconsin's critical vulnerability assessment and countermeasure plan, $750,000 for the University of Idaho's National Institute for Advanced Transportation Technology, working with the Northwest Transportation Training and Education Alliance, to develop and deliver training and education for transportation professionals in Idaho, Oregon and Washington, and $2,000,000 for the Oklahoma Transportation Center to conduct research addressing freight flows throughout Oklahoma.

The conference agreement does not provide funds for statistical analysis of the National Quality Initiative under any FHWA research program, as proposed by the House. Such analysis shall be performed by the Bureau of Transportation Statistics.

Pavements.—The conference agreement provides $16,000,000 for pavements research. Within the funds provided for this activity, the conferees encourage FHWA to provide $350,000 to Florida Atlantic University for the material integrity project, $1,500,000 for the National Center for Asphalt Technology at Auburn University, Alabama, $1,000,000 for the Center for Portland Cement Concrete Pavement Technology at Iowa State University, $500,000 to continue evaluating GSB–88 emulsified binder treatment application, and $250,000 to support the Institute for Aggregates Research at Michigan Technological University.

Policy.—The conference agreement provides $9,000,000 for policy research. Within the funds provided for this activity, FHWA is encouraged to provide $300,000 to Boston University Infrastructure Investment Research Initiative, $300,000 to the City College of San Francisco Transportation Academy, and $500,000 to the University of Kentucky Academy for Community Transportation Innovation for innovation of transportation facilities into rural communities.

Within the funds provided, the conferees encourage FHWA to conduct a high performance/low emission asphalt test project in consultation with the National Center for Asphalt Technology as proposed by the Senate.

INTELLIGENT TRANSPORTATION SYSTEMS

The conference agreement provides a limitation on Intelligent Transportation Systems of $232,000,000. Funds are available for the following activities:

Research and development	$52,000,000
Operational tests	12,000,000
Evaluations	7,000,000
Architecture and standards	18,000,000
Integrations	11,500,000
Program support	11,500,000
Subtotal	110,000,000
ITS Deployment incentive program	122,000,000
Total	232,000,000

Joint Program Office.—In the early 1990s, the appropriations committees expressed strong support for the formulation of a Joint Program Office (JPO) within the DOT to oversee the Federal role in the National Intelligent Transportation system (ITS) effort. This office, which is located within the Federal Highway Administration, now provides overall program direction and budget coordination among the multiple DOT offices conducting ITS activities. The success of the Federal investment in ITS has been due partly to the effective functioning of the JPO. For example, the JPO's close association with FHWA's research, headquarters staff, and regional offices has ensured a unified approach to providing training, implementing and testing standards, and adhering to a national systems architecture. The conferees maintain that the JPO's positive working relationship with the FMCSA and FTA has facilitated progress in advancement of technologies and the deployment of activities.

The appropriation for ITS provided by the conferees is predicated on the continuation of the JPO conducting the functions identified previously. Maximum efficiencies are most likely to be obtained by retaining the current administrative structure of the JPO within the FHWA with a reporting function to the Deputy Secretary. If there is any change in the administrative structure or responsibilities of the JPO, the Secretary is directed to inform the House and Senate Committees on Appropriations and to justify in detail such changes.

Intelligent transportation systems deployment projects.—Within the funds available for intelligent transportation systems deployment, the conference agreement provides that not less than the following sums shall be available for intelligent transportation projects in these specified areas:

Project	*Amount*
City of Huntsville, Alabama, ITS	$4,500,000
511 Traveler Information Program in North Carolina	400,000
Advanced Ticket Collection and Passenger Information Systems, New Jersey	750,000
Advanced Traffic Analysis Center, North Dakota	200,000
Advanced Transportation Management Systems (ATMS), Montgomery County, Maryland	500,000
Alameda Corridor-East Gateway to America Project Phase II, Los Angeles, CA	1,200,000
Alexandria ITS Real-Time Transit Enhancement Pilot Project	410,000
Altarum Restricted Use Technology Study	1,750,000
Altoona, Pennsylvania, ITS	800,000
Amber Alert Multi-Regional Strategic Plan	400,000
ATR Transportation Technology/CVISN, New Mexico	175,000
Auburn, Auburn Way South ITS, Washington	1,600,000
Bay County Area Wide Traffic Signal System	750,000
Cargo Watch Logistics Information System, New York	2,500,000
Carson Passenger Information System	300,000
CCTA Intelligent Transportation Systems, Vermont	300,000
City of Baltimore, Maryland Traffic Congestion Management	200,000
City of Boston Intelligent Transportation Systems, Massachusetts	1,000,000
City of New Rochelle, NY Traffic Signal Replacement Program	500,000
City of Santa Rosa: Intelligent Transportation System	300,000
Clark County Transit, VAST ITS, Washington	1,600,000
Computerization of traffic signals in Ashtabula, OH	14,000
Corona City-wide automated traffic management system	1,000,000
DelTrac Statewide Integration, Delaware	1,000,000
Demonstration project to deploy Geospatial Emergency & Response System (GEARS) for transportation	150,000
Detroit Metro Airport ITS	350,000

Project	*Amount*
DuPage County Signal Interconnection Project	300,000
Elk Grove Traffic Operations Center	960,000
Fairfax County Route 1 Traffic Synchronization ITS Pilot Project	500,000
FAST Las Vegas (ITS-Phase 2)—Construction	300,000
Fiber Optic Signal Interconnect System, Tuscon, Arizona	3,500,000
George Washington University, Virginia Campus	500,000
Germantown Parkway ITS Project, Tennessee	3,000,000
GMU ITS Research, Virginia	500,000
Great Lakes ITS, Michigan	3,000,000
Greater Philadelphia Chamber of Commerce ITS System, Pennsylvania	1,500,000
Harbor Boulevard Intelligent Transportation	800,000
Hawthorne Street Public Access Improvements, New Bedford, MA	150,000
Hillsborough Area Regional Transit: Bus Tracking, Communication and Security, Florida	750,000
Houma, Louisiana	1,250,000
Houston ITS	1,500,000
I–70 Incident Management Plan Implementation, Colorado	2,500,000
1–87 Highway Speed E-Z Pass at the Woodbury Toll Barrier	1,750,000
1–87 Smart Corridor	1,000,000
I–90 Phase 2 Connector ITS Testbed—Town of North Greenbush—Rensselaer County, NY	200,000
Illinois Statewide ITS	3,000,000
Implementation of Wisconsin DOT's Fiber Optics Network	1,000,000
Integration and Implementation of DYNASMART-X, RHODES and CLAIRE in Houston, TX	500,000
Intelligent Transportation System (Kansas City metro area)	200,000
Intelligent Transportation Systems—Phases II and III, Ohio	700,000
Intelligent Transportation Systems Deployment Project, Inglewood, CA	500,000
Intelligent Transportation Systems, City of Wichita Transit Authority	750,000
Intelligent Transportation Systems, Statewide and Commerical Vehicle Information Systems Network, Maryland	750,000
Intelligent Transportation Systems, Washington, DC Region	500,000
Intersection Signalization Project for the City of Virginia Beach, Virginia	500,000
Iowa Transportation Systems	750,000
ITS Baton Rouge, LA	1,250,000
ITS Expansion in Davis and Utah Counties, Utah	1,250,000
ITS Logistics and Systems Management for the Gateway Cities	250,000
ITS Technologies, San Antonio, Texas	200,000
ITS, Cache Valley, Utah	1,000,000
Jacksonville Transportation Authority, Intelligent Transportation Initiative—Regional Planning, Florida	750,000
King County, County-wide Signal Program, Washington	1,500,000
Lincoln, Nebraska StarTran Automatic Vehicle Locator System	1,000,000
Los Angeles MTA Regional Universal Fare System	500,000
Macomb County ITS Integration, Michigan	600,000
Maine Statewide ITS	1,000,000
Market Street Signilazation Improvements	100,000
MARTA Automated Fare Collection/Smart Card System, Georgia	700,000
Metrolina Transportation Management Center	1,750,000
Mid-America Surface Transportation Water Research Institute, North Dakota	500,000
Minnesota Guidestar	1,250,000
Missouri Statewide Rural ITS	4,000,000
Mobile Data Computer Network Phase II (MDCN), Wisconsin	2,200,000
Monroe County ATMS ITS Deployment Project	800,000
Montachusett Area Regional Transit (MART) AVLS, MA	240,000
Multi Region Advanced Traveler Information System (ATIS) for the IH–20 Corridor—Phase 1 in Texas	550,000
Nebraska Statewide Intelligent Transportation System Deployment	1,000,000
New York State Thruway Authority Traffic Operation Package for 1–95 and 1–87	1,676,000
North Bergen, New Jersey Traffic Signalization Replacement	1,000,000
Oklahoma Statewide ITS	4,000,000

Project	*Amount*
Palm Tran, Palm Beach County, FL—Automated Vehicle Location and Mobile Data Terminals	1,000,000
Portland State University Intelligent Transportation Research Initiative	400,000
Program of Projects, Washington	2,000,000
Project Hoosier SAFE–T	2,000,000
Real Time Transit Passenger Information System for the Prince George's County Dept. of Public Works, Maryland	1,000,000
Regional Intelligent Transportation System, Springfield, Missouri	2,000,000
Regional ITS Architeture and Deployment Plan for the Eagle Pass Region and Integrate with Laredo	300,000
Roosevelt Boulevard ITS Enhancement Pilot Program	750,000
Rural Freeway Management System Implementation for the IH–20 Corridor in the Tyler Region—Phase 1	200,000
Sacramento Area Council of Governments—ITS Projects, California	1,175,000
San Diego Joint Transportation Operations Center	400,000
Seacoast Intelligent Transportation System Congestion Relief Project	1,000,000
Seattle City Center ITS, Washington	2,500,000
Shreveport Intelligent Transportation System, Louisiana	1,000,000
South Carolina DOT Inroads Intelligent Transportation System	3,500,000
Spotswood Township, NJ; Expand and improve traffic flow with road improvements	250,000
SR 924 ITS Integration Project	1,000,000
SR112 ITS Integration Project	300,000
Statewide AVL Initiative, Nebraska	300,000
Swatara Township, Pennsylvania—Traffic Signalization Improvements	100,000
TalTran ITS Smartbus Program, Florida	1,750,000
Texas Medical Center EMS Early Warning Transportation System	1,000,000
Texas Statewide ITS Deployment and Integration, City of Lubbock	400,000
Texas Statewide ITS Deployment and Integration, Port of Galveston	400,000
Town of Cary Computerized Traffic Signal Project, North Carolina	800,000
Traffic Signal Controllers & Cabinets, District of Columbia	400,000
TRANSCOM Regional Architecture & TRANSMIT project, NJ, NY, & CT	500,000
Transportation Research Center (TRC) for Freight, Trade, Security, and Economic Strength, Georgia	500,000
Tukwila, Signalization Interconnect and Intelligent Transportation, Washington	1,400,000
Twin Cities, Minnesota Redundant Communications Pilot	1,000,000
Tysons Transportation Association—ITS	250,000
University of Kentucky Transportation Center	1,000,000
Ventura County Intelligent Transportation System	1,000,000
West Baton Rouge Parish Joint Operations Emergency Communications Center	800,000
Wisconsin CVISN Level One Deployment	800,000
Wyoming Statewide ITS Initiative	4,000,000

FERRY BOATS AND FERRY TERMINAL FACILITIES

Within the funds available for ferry boats and ferry terminal facilities, funds are to be available for the following projects and activities:

Project	*Amount*
Akutan Ferry Planning and Design, Alaska	$1,000,000
Canal Corridor Association—Port of LaSalle Project, Illinois	400,000
Capital Cost of Contracting for Water Bus Service, Florida	500,000
City of Palatka Ferry Service, Florida	650,000
Coffman Cove/Wrangell/Petersburg Ferries and Ferry Facilities, Alaska	2,000,000
Erie-Western Pennsylvania Port Authority Ferry Vessel Acquisition	800,000
Ferry service from Rockaway Peninsula to Manhattan (Jamaica Bay Transportation Hub), New York	500,000

Project	*Amount*
Fire Island Ferry Terminal, Saltaire, New York	450,000
Fort Morgan-Dauphin Island Ferry, Alabama	2,500,000
Governor Curtis Ferry Boat Replacement, Maine	400,000
Hatteras Ferry Project, North Carolina	500,000
High Speed Ferry Terminal, Bridgeport, Connecticut	750,000
Ocean Gateway Development, Maine	500,000
Oyster Point Ferry Vessel, San Francisco, California	1,000,000
Passenger Ferry, Port of Corpus Christi, Texas	500,000
Pittsburgh Water Taxi, Pennsylvania	500,000
S–236 Claggett Road/Lewis & Clark Ferry Boat Facilities on Missouri River, Montana	800,000
Southworth and Vashon Terminal Improvements, Washington	1,000,000
Stamford High Speed Ferry, Stamford, Connecticut	500,000
Staten Island Ferry Kennedy Class Replacement Program, New York	1,950,000
Swans Island Ferry Terminal Improvements, Swans Island, Maine	500,000
Winthrop, Massachusetts Ferry	300,000
TEA–21 Set-asides (Alaska, Washington, New Jersey)	20,000,000

NATIONAL CORRIDOR PLANNING AND BORDER DEVELOPMENT PROGRAM

Within the funds available for the national corridor planning and border development program, funds are to be available for the following projects and activities:

Project	*Amount*
146th Street 1–69 Access Project, Hamilton County, Indiana	$1,000,000
172nd Street/I–5 Interchange and Bridge Expansion, Washington	3,000,000
34th Street Corridor completion, Minnesota	1,000,000
Aiken Road Bridge, Kentucky	1,000,000
Alameda Corridor-East Gateway to America Project Phase II, Los Angeles, California	2,000,000
Anacostia Crossings and Freeway Study, Maryland	750,000
Anniston East Bypass, Alabama	3,000,000
Arch-Sperry Road Improvements, California	250,000
Arctic Winter Games Transportation Improvements, Alaska	1,000,000
Auburn Ravine Bridge—City of Lincoln, California	250,000
Bayfield County bridge projects, Wisconsin	410,000
California, State Route 75 (City of Coronado) Tunnel Project Report and Environmental Document, California	500,000
Cameron Street Bridge, Shamokin/Coal Townships, Northumberland County, Pennsylvania	1,000,000
Canal Road Intermodal Connector, Harrison County, Mississippi	1,000,000
City of Forsyth Frontage Road, Illinois	200,000
City of Seminole, US 377 upgrades and creation of a spur, Oklahoma	2,000,000
Coalfields Expressway, Virginia	500,000
Columbus, Mississippi Highway 45 Bypass	750,000
Construct Madison Street Interchange I–29 in Sioux Falls, South Dakota	5,000,000
Corridor V construction along SR–6, Mississippi	1,000,000
Donna-Rio Bravo International Border Crossing, Texas	800,000
Elk Grove Sheldon 99 Interchange, California	300,000
Falls to Falls Corridor, Minnesota	1,000,000
Flintlock Road Overpass, City of Liberty, Missouri	1,000,000
Ft. Wainwright Alternative Access & Chena River Crossing, Alaska	5,700,000
Garden Parkway Bypass (US 321/74), North Carolina	2,000,000
Georgia S.R. 316 Improvements—Gwinnett County, Georgia	100,000
Highway 101 Implementation Plan, California	600,000
Highway 22/Cordon Road Interchange—Environmental Impact Study, Oregon	500,000
Highway 431 Modification, Alabama	1,200,000
Highway 71, Alma to Greenwood, Arkansas	1,450,000
Highway 71: Louisiana State Line, DeQueen, Arkansas	850,000
I–5 Interregional Arterials Improvement Project, California	700,000

Project	*Amount*
I–565 to Memorial Parkway, Huntsville, Alabama	5,000,000
I–65 and County Road 24 Interchange, Limestone County, Alabama	1,000,000
I–66 westbound widening from Rosslyn Tunnel to Dulles Connector, Virginia	1,000,000
I–675 Corridor Improvements, Ohio	500,000
I–69 Indianapolis to Evansville	1,000,000
I–73 Corridor Project	250,000
I–75/Austin Road Interchange, Ohio	650,000
Interchange/overpass at highway K–7 and 55th St. and Johnson Dr. in Shawnee, Kansas	1,000,000
Intercounty Connector (ICC), Maryland	500,000
Interstate 5 Riverfront Reconnection, California	500,000
Jasper Airport Road, Jasper, Alabama	1,000,000
Jim Thorpe Bridge Renovation Project, Pennsylvania	500,000
Kauffman Ave Roadway Improvements, Greene County, Ohio	500,000
KY750 from US 23 to KY 3105 in Raceland, Greenup County, Kentucky	300,000
LA 1 Port Fourchan to US 90	2,000,000
LA 18 from Avondale to US 90, Jefferson Parish, Louisiana	350,000
LA 37/US 190, Central Thruway Connector, Louisiana	1,000,000
LA Hwy 820 Improvements, Lincoln Parish, Louisiana	1,500,000
Loop 201 Expansion Project, Texas	750,000
Missisquoi Bay Bridge, Vermont	4,000,000
Murchison Road, Cumberland County, North Carolina	500,000
Murray Business Loop, Kentucky	1,000,000
New Haven Road Corridor Study, Connecticut	90,000
North Coast Interstate 5, California	500,000
Northern Tier Expressway (NTE), New York	100,000
North-South Highway TCL–MSL Corridor, Alabama	1,000,000
Pittston Connector Project, Pennsylvania	300,000
Planning for New Route over Cape Fear River, North Carolina	125,000
Ports-to-Plains highway rehabilitation between Del Rio and Eagle Pass, Texas	1,100,000
Ranchero Road/Cajon Branchline Grade Separation, California	500,000
Route 104/Dominion Boulevard, Virginia	3,000,000
Route 106 Underpass Rehabilitation, Mansfield, Massachusetts	750,000
Route 12, Veterans Memorial Corridor, Auburn, Massachusetts	1,250,000
Route 168 Corridor Improvements, Camden and Gloucester Counties, New Jersey	250,000
Route 24/140 Interchange, Taunton, Massachusetts	1,000,000
Route 403 Relocation, Rhode Island	800,000
Route 590 Reconstruction project, Irondequoit, New York	2,500,000
Route 79 Improvements, Fall River, Massachusetts	1,350,000
Rutherford Avenue, Boston, Massachusetts	1,500,000
Santa Fe/C–470, Colorado	4,000,000
SH 158 widening in Sterling County, Texas	800,000
Shelby County CR 500 E Safety Upgrade, Indiana	100,000
SR694, Pinellas Park, Florida	2,000,000
St. Clair Avenue in East Liverpool, Ohio	500,000
State Highway 133 Widening, Colquitt County, Georgia	4,000,000
Ten Mile at Middlebelt Road Intersection Safety, Michigan	200,000
Tennessee 4th's US 412 Corridor, Tennessee	1,750,000
Tennessee's I40 in Roane County	500,000
TH241, St. Michael, MN	300,000
The Hendricks County North-South Corridor Highway	850,000
The Rock Island Parkway Project, Arkansas	675,000
Tienken Road Bridge over the Paint Creek, Rochester Hills, Michigan	750,000
Town of Marana Twin Peaks Corridor, Arizona	800,000
Trenton Channel Bridge Replacement, Wayne County, Michigan	400,000
U.S. Route 33 Corridor Improvements at Winchester-Cemetary Road, Ohio	1,000,000
U.S. Route 33 Road Improvements (Pendelton County, West Virginia)	500,000
U.S. Route 422 Improvement Project, Pennsylvania	500,000
University Boulevard Interchange Project, Pennsylvania	1,000,000

Project	*Amount*
Upgrade US158 to a multilane facility between I–85 and I–95, North Carolina	400,000
US 113, Maryland	1,500,000
US 60, Osage County, Pawhuska to Vinita, Oklahoma	2,000,000
US 67 improvements, Missouri	5,000,000
US 83 Anzalduas Connection Road and Structures to New International Bridge, Texas	500,000
US 87 Bypass around Big Spring, Texas	300,000
US Highway 10 Interchange—City of Ramsey, MN	200,000
US Highway 218 in Keokuk, Iowa	750,000
US Market Street Bridge, Lycoming County, Pennsylvania	1,000,000
US11, Orleans and St. Tammany Parishes, Louisiana	500,000
US–231/I–10 Freeway Connector, Alabama	8,000,000
US–395 North Spokane Corridor, Washington	1,000,000
USH 53 Bypass (Eau Claire, Wisconsin)	2,000,000
Walden Point Road, Alaska	2,000,000
West Virginia Route 10	10,000,000
Winfield Way Extension, Canton, Ohio	500,000
Yakima Grade Separations, Washington	1,000,000

TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PROGRAM

Within the funds made available for the transportation and community and system preservation program, funds are to be distributed to the following projects and activities:

Project	*Amount*
Bellingham, Coast Millennium Trail—South Bay Taylor Dock Project, Washington	$500,000
Big Lake to Wasilla Pedestrian Trails, Alaska	500,000
Briarcliff Manor Union Free School District, New York traffic light	150,000
Central Avenue Parking Facility and Pedestrian Improvements, Florida	500,000
Civic center streetscape improvement, New York	500,000
Clarksville Square, Clarksville, Texas	250,000
Colchester, Vermont	1,000,000
Connection of the Alabama Chief Ladiga Trail and the Georgia Silver Comet Trail, Alabama	100,000
Downtown Revitalization Project, Somerset, Kentucky	1,750,000
Henderson County Port Authority Project, Kentucky	1,000,000
High line project, New York City, New York	500,000
Highway 79 Corridor/Greenway Project, Alabama	750,000
Hobbs Industrial Air Park Roads, New Mexico	100,000
Homewood, Illinois railroad station/platform acquisition and improvement	200,000
Hot Springs Bike Trail, Arkansas	80,000
Independence Creek Hiking/Biking Road Access, Kansas	250,000
Kincaid Park Trail Connection, Alaska	900,000
Lewisburg Comprehensive Transportation Plan, Lewisburg, West Virginia	85,000
Manhattan, Kansas Fourth Street Corridor	200,000
Marathon County—Mountain Bay Trail, Wisconsin	225,000
Marion County Alabama Safety, Efficiency, and Trade Highway Improvement Program	800,000
Miller Farm Bridge, Pennsylvania	500,000
Newberg-Dundee Transportation Improvement Project, Oregon	500,000
Niobrara Scenic River Corridor Roads, Nebraska	1,000,000
North Dakota 23 Lake Sakakawea Crossing—Linear Library, Truss Monument	250,000
North/South Road, Oahu, Phase I, Hawaii	1,000,000
Owensboro Waterfront Development Project, Kentucky	2,000,000
Puna Makai Alternate Road Study, Island of Hawaii	200,000
Regional Plan Association Willimasburg/Navy Yard/Vinegar Hill Corridor Access, New York	200,000
Riverfront Battle Property Trail, Georgia	250,000

Project	*Amount*
Riverwalk, Warren, Ohio	500,000
Road construction for industial park for City of Vinita, Oklahoma	100,000
Rockford Road, Ardmore, Oklahoma	700,000
Route 152 Safety Improvements, Santa Clara County, California	250,000
Route 29 Recreational Bike and Pedestrian Path, Mercer, New Jersey	1,000,000
Scranton Nay Aug Park Enhancement Project, Pennsylvania	400,000
Streetscape Initiative, Phase II, Northwest Moultrie, Georgia	500,000
Study of Highway 35/county M Bypass of Downtown Osceola, Wisconsin	200,000
Talcottville Transportation Improvement Project, Connecticut	500,000
Town of Clayton Downtown Revitalization, Clayton, Alabama	500,000
Trinity River Visions Neighborhood Linkage, Texas	500,000
U.S. 49 from Florence, Mississippi to I–20	800,000
Uptown Crossings Vine Street Improvement Project, Ohio	1,000,000
US–222 Kutztown Bypass, Pennsylvania	500,000
US30 Bypass—PA10 to US30 Business	500,000
Village of Glencoe, Illinois, Green Bay Trail—North Branch Trail Connection	200,000
Walden Woods Corridor Overpass Study, Massachusetts	200,000
Weston Streetscape Renewal, West Virginia	200,000
Woodward Avenue Livable Community Project, Michigan	210,000

BRIDGE DISCRETIONARY PROGRAM

Within the funds available for the bridge discretionary program, including the bridge set-aside, funds are to be available for the following projects and activities:

Project	*Amount*
9th Street Bridge, NE over New York Avenue, District of Columbia	$500,000
Blackford Bridge Project, Kentucky	250,000
Bridge Replacement on Arkabutla—Coldwater Road, Mississippi	800,000
Broadway Bridge/I–25 Interchange Complex, Colorado	8,000,000
Canvas Bridge, Nicholas County, West Virginia	8,000,000
Carlsbad, New Mexico, Railroad Overpass	1,500,000
Christina River Bridge Seismic Retrofit, Delaware	1,000,000
Coal Creek Parkway, Washington	1,000,000
Construction of the Cooper River Bridge Replacement Project, South Carolina	1,250,000
CR 309 Georgetown Bridge, Putnam County, Florida	500,000
Ferry Street Bridge, New Haven, Connecticut	2,000,000
First Street Bridge, Roanoke, Virginia	500,000
Funny River Bridge Crossing, Alaska	5,000,000
Golden Gate Bridge Seismic Retrofit	4,500,000
Greene County, Missouri Demonstration Bridge	400,000
Greenspot Bridge, Highland, California	500,000
Hagatna River, Flood Mitigation Bridge Improvement Project, Guam	400,000
Highway 19 Bridge Replacement, Missouri	6,000,000
Highway 21/Rincon Truck Bypass, Georgia	4,000,000
Historic Woodrow Wilson Bridge Restoration Project, Rankin Co., Mississippi	2,500,000
I–195 Washington Bridge (East Bound), Rhode Island	4,000,000
I–35 Trinity River Bridge, Texas	925,000
I–710 Corridor/Gerald Desmond Bridge Gateway Program (Desmond Bridge Replacement), California	800,000
I–95 New Haven Q-Bridge, Approach Work (Contract C), Connecticut	750,000
IH–35E Chambers Creek Bridges, Texas	1,500,000
Indian River Inlet Bridge Replacement, Delaware	4,075,000
Interstate 74 Bridge Corridor Project, Iowa	1,250,000
Kapahi Bridge, Island of Kauai	350,000
Lake Pontchartrain Causeway Bridge, Louisiana	3,000,000
Leeville Bridge, Lafourche Parish, Louisiana	1,500,000
Longfellow Bridge, Boston and Cambridge, Massachusetts	2,250,000
Martin Luther King Jr. Bridge Aprons, Toledo, Ohio	1,600,000

Project	*Amount*
Missouri River Bridge, Rulo Nebraska	1,000,000
North Avenue Bridge, Chicago, Illinois	5,000,000
Replacement of existing I–75 Brent Spence Bridge over Ohio River between Covington and Cincinnati, Kentucky	2,000,000
Route 52 Causeway Replacement and Somers Point Circle Elimination, New Jersey	1,250,000
Russell Street Viaduct Replacement, Baltimore, Maryland	4,000,000
Sauvie Island Bridge Replacement, Oregon	400,000
SR 520/SR 25 Flyover Bridge, Glynn County, Georgia	2,500,000
Tamiami Bridge Replacement, Florida	1,500,000
U.S. 220—Business Bridge Replacement, Virginia	2,000,000
U.S. 34 Missouri River Bridge in Mills County, Iowa	1,500,000
US–169 viaduct between Kansas Avenue and I–70, Kansas City, Kansas	2,000,000
US–2, Dover Bridge, Bonner County, Idaho	1,250,000
US20 Bridge Repair, Oregon	600,000
Vernon Atlantic Boulevard Bridge Expansion Project, California	400,000
Waldo-Hancock Suspension Bridge in Prospect and Verona, Maine	4,000,000

FEDERAL LANDS

Within the funds available for the federal lands program, funds are to be available for the following projects and activities:

Project	*Amount*
Access roads to Beale Air Force Base, California	$750,000
Adams National Historic Park Transportation and Access, Massachusetts	465,000
Apache County Road, 5020, Arizona	752,000
Apache County South Fork Bridge, Arizona	275,000
Atwater Federal Penitentiary Access Road, California	1,000,000
BIA Route 35 resurfacing: State line to Montezuma Creek, Utah	1,000,000
Big South Fork, Scenic Railway Track Restoration in McCreary County, Kentucky	400,000
Blackstone River Bikeway, Rhode Island	1,500,000
Blackwater Wildlife Refuge roads and visitor center, Maryland	400,000
Brown's Park, Utah	1,000,000
Calaveras Wagon Trail Expressway Realignment, California	350,000
Calumet Trail, Prairie Duneland Trail and Marquette Trail Link, Indiana	307,000
Chickasaw Museum and Cultural Center Planning and Development, Mississippi	500,000
Chignik Road Improvements, Alaska	2,100,000
Choctaw Roads, Mississippi	1,425,000
City of Henderson Lake Las Vegas/Lake Mead Interchange, Nevada	2,000,000
City of Rocks Back Country Byway, Stage 2, Idaho	3,000,000
Colville Confederated Tribe—Inchelium/Gifford Bridge Feasibility Study, Washington	120,000
County Road, Preston North and South, Nebraska	650,000
Craig Road Overpass, Nevada	3,000,000
Cross Base Highway, Washington	750,000
Foothills Parkway, Great Smoky Mountains National Park, Tennessee	900,000
Fort Yates Business Loop Street Improvement, North Dakota	550,000
George Washington Memorial Parkway Safety Improvements, Virginia	600,000
Glacier Creek/Nome Bypass, Alaska	3,000,000
Glorieta Battlefield NM 50 realignment, New Mexico	375,000
Hal Rogers Parkway, Kentucky	1,000,000
Hansen Dam Recreation Area Parking Enhancements, Pacoima, California	325,000
Hawaii Statewide Federal Lands Improvements	4,000,000
Highway 62 Traffic and pedestrian safety improvement, in Yucca Valley, California	500,000
Hoover Dam Bypass Bridge, Arizona	7,000,000
Iditarod Historic National Trail Project, Alaska	500,000

Project	*Amount*
IH20—Dyess AFB Access Project, Texas	1,368,000
Interstate Bridge Crossing between Bullhead City, Arizona and Laughlin, Nevada	500,000
Lake Tahoe EIP, Nevada	1,200,000
Lewis and Clark Legacy Trail, North Dakota	400,000
Lowell Riverwalk Phase II Design, Massachusetts	800,000
Lower Etwha Klallam Tribe—Access Road, Washington	2,300,000
Marin Parklands/Muir Woods Visitor Access, California	1,100,000
McCarthy Creek Tram, Alaska	200,000
Military Cutoff Road (SR 1409) Improvements in New Hanover County, North Carolina	400,000
Mill Creek Road (Mendocino County), California	400,000
Moosalamoo Region, Green Mountain National Forest, Vermont	150,000
Navajo Archeological Study, Utah State Route 262 between Montezuma Creek and Aneth, Utah	1,250,000
Needles Highway Realignment and Safety Improvements, California	3,000,000
Ohiki Road Bank Stabilization and Engineering, Hanalei, Island of Kauai	50,000
Ohio State Route 2/Ottawa National Wildlife Refuge	500,000
Presidio Trails and Bikeways, Golden Gate National Recreation Area, California	1,000,000
Public Lands Highways Project, Cedar Creek bridge construction at Wilson Lake, Russell County, Kansas	300,000
Red Cliff Arch Bridge, Colorado	3,000,000
Regional Tourism and Transportation Center, New York	1,250,000
Rehabilitation of the Henry Drive Bridge #001 over the Union Pacific Railroad tracks at Fort Riley, Kansas	808,000
Rossie Coats Road, Kemper County, Mississippi	150,000
Russell Cave National Monument Road, Jackson County, Alabama	500,000
Saginaw Chippewa Transportation Improvement Project, Michigan	1,200,000
Salmon Falls Creek Bridge	500,000
Seminoe Dam Road, Wyoming	3,500,000
Shotgun Cove Road, Alaska	2,000,000
Six County Fort Peck Road Access Project, Montana	1,500,000
Skokomish Tribe Roadway Improvements, Washington	1,300,000
Snake Road (BIA Route 1281) Improvement, Florida	1,000,000
Southeast Alaska Seatrails	500,000
State Highway 149, Colorado	400,000
Stoughton Pond Road, Weathersfield, Vermont	100,000
Sturgeon Lake Road Overpass, Minnesota	2,000,000
Summit Valley Road, San Bernardino County, California	500,000
Tank Destroyer Blvd, Ft. Hood, Texas	1,000,000
Taylor Hill Road US Secondary Montana 234	1,420,000
Timucuan Preserve Bike Trail, Florida	1,000,000
US Highway 491 (666) on the Navajo Nation, New Mexico	1,000,000
US 93 Evaro to Polson Wildlife Crossings, Montana	1,000,000
USMC Heritage Center Access, Virginia	650,000
Western Canalway, Suffolk and Moody Street Reach, Massachusetts	400,000
Western Maryland Low Impact Welcome Center at Byron Overlook, Maryland	800,000
Wolf Trap National Park Pedestrian Crossing, Virginia	750,000

SCENIC BYWAYS

Within the funds available for the scenic byways program, funds are to be available for the following projects and activities:

Project	*Amount*
Amherst County Greenway, Virginia	$1,000,000
City of Espanola El Camino Real Scenic Byway alignment, New Mexico	60,000
Enhancements to Route 6A Scenic Byway, Cape and Islands Rural Roads Initiative, Massachusetts	800,000
Flagler County Scenic and Historic A1A, Florida	890,000
Idaho National Scenic Byways	75,000

Project	*Amount*
Kentucky Scenic Byways	1,000,000
Mason Creek Greenway, Virginia	1,000,000
New York State Scenic Byways Statewide project	2,000,000
Pioneer Historic Byway Interpretive Site Development, Idaho	100,000
Snoqualmie Point View Park, Washington	600,000
US 78 Bamberg Scenic Highway Project, South Carolina	4,000,000
Welcome Center off SR 410, Washington	1,285,000
Woodward Avenue—Developing the Byway Story, Michigan	440,000

INTERSTATE MAINTENANCE DISCRETIONARY

Within the funds available for the interstate maintenance discretionary program, funds are to be available for the following projects and activities:

Project	*Amount*
Cawtawba Avenue Interchange (I–77) Improvement, North Carolina	$750,000
Central Sarasota Parkway Interchange at I–75, Sarasota, Florida	500,000
City of Wheat Ridge, Colorado, I–70 and State Highway 58 Interchange Reconstruction, Colorado	800,000
Conceptual Development and Preliminary Design improvements to the intersections of Interstate 59, Mississippi	265,000
Coors/Interstate 40 Interchange Reconstruction, New Mexico	1,000,000
Ellensburg Interchange I–90, Milepost 108.31, Washington	1,500,000
Four interchanges at I–435 and I–35 in Johnson County, Kansas	1,000,000
I–12 Sound Barriers, Slidell, Louisiana	750,000
I–15 Reconstruction: 10800 South to 600 North, Utah	6,000,000
I–182, Queensgate to SR 240, Richland, Washington	2,000,000
I–20 Downing Pines Interchange, Louisiana	1,000,000
I–210 and Highway 14 Interchange, Lake Charles, Louisiana	800,000
I–25, US 36, I–270 Interchange, Colorado	450,000
I–25/Tramway Interchange, Albuquerque, New Mexico	1,500,000
I–285 Noise Walls, Henderson Mill to Chamblee Tucker Road, Georgia	500,000
I–285 Noise Walls, I–20 to Bouldercrest Road, Georgia	480,000
I–295/Meadowville Interchange, Virginia	1,500,000
I–35 East/I–635 Interchange, Texas	925,000
I–35/127th Street Overpass, Olathe, Kansas	3,000,000
I–40 and I–55 ramps, Memphis, Tennessee	1,000,000
I–405 Corridor Improvements, Washington	2,000,000
I–44 Rogers Lane Interchange, Lawton, Oklahoma	1,000,000
I–476 Reconstruction and Widening Project, Pennsylvania	830,000
I–49 South, Louisiana	3,000,000
I–5 Rush Road to Maytown Widening, Lewis County, Washington	2,000,000
I–5 Vancouver Interchange Improvements, Washington	1,000,000
I–5, Lynnwood City Center Exit, Washington	1,000,000
I–5/Ortega Highway Interchange Construction, California	800,000
I–676 Martin Luther King Boulevard, Camden County, New Jersey	1,000,000
I–69/SR 304 Paving, Mississippi	5,925,000
I–695 Baltimore Beltway N/E Inner Loop, Maryland	750,000
I–70 Improvement Project: Frederick, Maryland	4,025,000
I–75/Aviation Blvd Atlanta, Georgia	800,000
I–76, Fort Morgan, Colorado to Brush, Colorado	200,000
I–77/Lauby Road Exit, Ohio	1,000,000
I–80 Truck Climbing Lane, Keystone to Robb Drive, Nevada	500,000
I–80/Iowa 945 Interchange, Polk County	3,000,000
I–84, Glenns Ferry to King Hill, Idaho	2,000,000
I–84/Route 2 East Hartford, Connecticut, operational improvements (flyover access)	750,000
I–85 Coweta County Noise Barriers, Georgia	750,000
I–90, Spokane to Idaho State Line, Washington	2,000,000
I–96/Latson Road Interchange, Michigan	750,000
IH35/SH45 Interchange at Round Rock, Texas	200,000
Interstate 10 Cypress Avenue Overcrossing, California	800,000
Interstate 295/Route 38 Interchange Improvements, New Jersey	750,000
Interstate 430/630, Interchange Modification, Arkansas	800,000

Project	*Amount*
Interstate 44 and US 65 Interchange, Missouri	1,000,000
Interstate 80 (I–80) Colfax Narrows Project, Nevada	2,000,000
Interstate 80–Exits 298–299 Renovation Project, Pennsylvania	750,000
Isleta Boulevard Improvement Project	500,000
Kelly USA: New Luke Road, Texas	200,000
Laval Road Interchange Upgrades at I–5, California	800,000
Louisville—Southern Indiana Ohio River Bridges Project, Indiana	3,250,000
Madison I–565 Interchange at County Line Road, Alabama	1,000,000
Montgomery County, Ohio—Interstate 75, Ohio	2,000,000
New York State Thruway Authority, Westchester County, Byram Bridge Rehabilitation	800,000
Noise Walls on I–20 from Fulton Industrial Boulevard to H. E. Holmes, Fulton County, Georgia	500,000
Northbound I–675 Sound Barrier, Ohio	1,000,000
Ohio River Bridges, Kentucky	6,550,000
Pavement and Bridge Rehabilitation on I–85, North Carolina	800,000
Pennsylvania Turnpike—Interstate 95 Interchange Project	2,000,000
Phase II, I–44 Modification (Widen Eastbound I–44 Bridge at Meramec River), Missouri	200,000
Rancho Cucamonga I–15 and Base Line Road Interchange Improvements, California	800,000
Reconstruct Exit 60—I–90 in Rapid City, South Dakota	5,100,000
Valley Mall Boulevard Interchange and South Union Gap Interchange, Washington	500,000
Valleydale Road at I–65, Alabama	5,000,000
Waltham, Massachusetts I–95/Rt 20 Interchange	1,700,000
Widening Interstate 35 East between FM 2181 and Lake Lewisville, Denton County, Texas	200,000

BUREAU OF TRANSPORTATION STATISTICS

The conferees provide $31,000,000 for the Bureau of Transportation Statistics under the FHWA appropriation. However, the conferees continue to be concerned about staffing increases since 1993, the year BTS was established. Therefore, the conference agreement limits BTS full time positions to 136.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides a liquidating cash appropriation of $34,000,000,000 for the federal-aid highways program as proposed by both the House and the Senate.

FEDERAL-AID HIGHWAYS

MISCELLANEOUS HIGHWAY AND HIGHWAY SAFETY PROGRAMS

(HIGHWAY TRUST FUND)

The conference agreement provides contract authority from the Highway Trust Fund (other than the Mass Transit Account) for the Pennsylvania Avenue project in Washington, D.C., and for Amber Alert grants. In addition, contract authority is provided for the Federal Motor Carrier Safety Administration's new entrant program, southern border enforcement activities, northern border truck inspections, and commercial driver's license program improvement grants; and the National Highway Traffic Safety Ad-

ministration's operations and research program. This funding shall be subject to the Federal-aid obligation limitation.

FEDERAL-AID HIGHWAYS

(HIGHWAY TRUST FUND)

(RESCISSION)

The conference agreement includes a rescission of $207,000,000 of funds in unobligated contract authority balances from the five core highway programs—Surface Transportation Program, Interstate Maintenance, National Highway System, Congestion Mitigation/Air Quality Improvement program, and the Bridge program.

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

The conference agreement provides $125,000,000 for the Appalachian Development Highway System (ADHS), instead of $150,000,000 as proposed by the Senate. The House did not provide funding for this purpose. A total of $40,000,000 shall be allocated in accordance with the ADHS most recent cost-to-complete study and the remaining $75,000,000 shall be allocated as follows: $20,000,000 for Kentucky Corridors; $3,000,000 for Tennessee Corridor S; $2,000,000 for Corridor V, Mississippi; $20,000,000 for West Virginia Corridor H; and $30,000,000 for Alabama Corridor X.

GENERAL PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

The conference agreement includes a provision (Sec. 110) that modifies the distribution of Federal-aid highway obligation limitation proposed by the Senate.

The conference agreement includes a provision (Sec. 111), as proposed by the House, that designates U.S. 78 from Memphis, Tennessee, to Corridor X near Fulton, Mississippi, extending to Birmingham, Alabama, as a High Priority Corridor and a future interstate.

The conference agreement includes a provision (Sec. 112) that modifies a House provision amending section 1692 of the Transportation Equity Act of the 21st Century (TEA–21) to allow changes to projects in New York, Louisiana, Michigan, Kentucky, Illinois and South Carolina.

The conference agreement includes a provision (Sec. 113) that allows funds received by the Bureau of Transportation Statistics from the sale of data products to be credited to the Federal-aid Highways account, as proposed by both the House and Senate.

The conference agreement includes a provision (Sec. 114) that amends TEA–21 to allow ITS funds already appropriated to the state of Wisconsin to be used for the installation in the areas of Wausau and Superior.

The conference agreement includes a provision (Sec. 115) that provides additional amounts from within the Federal-aid obligation limitation for the following surface transportation projects:

Project	*Amount*
10th Street South Phase II, St. Cloud, MN	$200,000
135th Street Widening and US 69 Northbound Ramp, Kansas	2,750,000

Project	*Amount*
168th and State Streets Intersection improvements	200,000
3–Bridge Corridor Project, Skagit County, Washington	800,000
40th Street Corridor project, City of Tampa	750,000
40th Street Corridor project, City of Tampa	500,000
51–43 Connector Canton, Mississippi	1,000,000
60/67 Interchange-Butler County, Missouri	3,000,000
7th Street Widening Project, Harrisburg, Pennsylvania	500,000
95th Dan Ryan Transit Station	1,000,000
Adrien's Landing, Hartford, Connecticut	5,000,000
Alaskan Way Viaduct & Seawall, Seattle, Washington	1,000,000
Albany Georgia Intermodal Facility	1,000,000
Albuquerque, New Mexico-University Boulevard Extension	250,000
American Samoa Ferry Boat System	300,000
Amesbury, Massachusetts bus facility upgrade	1,100,000
Anacostia Riverwalk and Trail Construction, District of Columbia	400,000
Annie Glidden Road, DeKalb, Illinois	500,000
Applied Sciences Building, Alabama	30,000,000
Area Wide Traffic Signal Synchronization System, Phase III	1,500,000
Arkwright Connector, South Carolina	1,000,000
Arlington County Jefferson Davis Highway (Rt 1) Improvements	500,000
Arlington County South Glebe Road improvements	800,000
Aroostook County North-South Highways, Maine	3,550,000
Atlantic Avenue Extension, Jamaica, Queens, New York	1,250,000
Attleboro Intermodal Transportation Center, Attleboro, Massachusetts	2,200,000
Augusta Rail Relocation Project, Georgia	2,000,000
Austin Metropolitan Area Bicycle Routes	400,000
Badger Creek Crossing, Fall River Lake, Greenwood County, Kansas	100,000
Barlett Access Intersection Safety Improvements, Alaska	500,000
Battlefield Parkway expansion from Kincaid Boulevard to Route 7, Virginia	6,000,000
Beacon Falls Depot Street Bridge, Connecticut	1,000,000
Beacon Falls-Seymour, Connector Roadway	750,000
Beale Street Landing/Docking Facility—City of Memphis, Tennessee	1,000,000
Bear Creek Greenway, Oregon	2,000,000
Beargrass Creek Bridges	500,000
Beckley VA Medical Center Access Road, West Virginia	1,000,000
Bedford, New Hampshire Route 101 Corridor Safety Improvement Project	1,000,000
Belford Road, Holly, Michigan	800,000
Bergen Intramodal Stations and park-n-ride Capital Improvements, New Jersey	2,250,000
Berkshire/Franklin Mohawk Trail Scenic Byway, Massachusetts	1,000,000
Berlin G. Meyers Parkway Extension, South Carolina	1,000,000
BIA Route 27 Reconstruction, Pine Ridge Indian Reservation, South Dakota	3,000,000
Billings Bypass Development: Design and ROW, Montana	2,000,000
Birmingham Northern Beltline, Alabama	2,000,000
Bismark Fixed Route Bus System, Fargo/Moorhead Transit Maintenance Facility, Valley City Garage, North Dakota	2,650,000
Blue Water Port Huron Intermodal Facility Project, Michigan	2,000,000
BNSF Track Relocation Project, Everett, Washington	500,000
Bobby Jones Expressway (GA)/Palmetto Parkway (SC) extension in South Carolina	4,000,000
Boston Harbor Islands National Park Area Universal Access, Massachusetts	2,250,000
Boulder Ave Bridge project, Highland, California	1,000,000
Bowman Road and Johnnie Dodds Boulevard, Highway 17, Mount Pleasant, South Carolina	3,000,000
Bremerton Pedestrian/BTC Access Improvement project, Washington	2,500,000
Bridge Replacement Project, Mound Branch and Pawpaw Creek Bridges on K–99 in Elk County, Kansas	1,000,000
Broken Arrow 101st street corridor from State Highway 51 to Town Center, Oklahoma	250,000

Project	*Amount*
Broken Bow rail spur, Oklahoma	750,000
Bronx HUB Streetscape Improvement & Pedestrianization	1,000,000
Bronx River—Concrete Plant Link of the Bronx Greenway	700,000
Buffalo Outer Harbor Project, New York	5,000,000
Business Route I–44 (Chestnut Expressway) and National Avenue Intersection Improvement, Missouri	750,000
Butler County Industrial Infrastructure Development—City of Greenville, Alabama	750,000
Bypass Road in Nome, Alaska	2,000,000
Byram-Clinton/Norrell Corridor, Mississippi	3,000,000
C Street Railroad bypass, Alaska	2,000,000
Cactus Avenue, I–15 Interchange Project	200,000
California University of Pennsylvania Shuttle System (CUPSS), Pennsylvania	2,000,000
CalTrain Train Tracking Information System	500,000
Capacity Enhancement of South Shore Commuter Rail Service	3,000,000
Capacity expansion on I–35 in Olathe, Kansas, from 159th St. to 175th St.	1,000,000
Cape Fear River Planning Project, North Carolina	750,000
Capital Metro North Operating Facility	1,000,000
Caraway Bridge Overpass, Arkansas	1,000,000
Center City Project, Columbus, Ohio	3,000,000
Central Florida Regional Transportation Authority: North Orange/South Seminole ITS Enhanced Circulator	2,071,000
Central Kentucky Line Rail Service Preservation Project	500,000
Central Susquehanna Valley Transportation U.S. 15, Pennsylvania	2,000,000
Chattanooga (CARTA) ITS, Tennessee	2,500,000
Chehalis, I–5 Exit 79 Interchange Bridge, Washington	3,000,000
Chenega Road System, Alaska	850,000
Cheyenne Corridor Safety Improvement Project in Pocatello, Idaho	1,500,000
Chocorua Village Transportation Improvement Project	500,000
Cities of Beverly and Salem Intermodal, MA	1,100,000
City of Arvada, Colorado, Wadsworth Blvd/SH 121/Grandview Grade Separation	500,000
City of Asheville Traffic Signal System Upgrades	2,000,000
City of Aurora, Colorado I–225 and Colfax Avenue Interchange reconstruction	2,500,000
City of Austin East 7th Street	1,000,000
City of Bayfield, Highway 13 Emergency Culvert Repairs	640,000
City of Beloit, Gateway Boulevard Project, Wisconsin	500,000
City of Boston—Harbor Islands NRA Long Island Pier Reconstruction, Massachusetts	300,000
City of Charles Town—Gateway Revitalization Project, West Virginia	350,000
City of Columbus, Ohio, Morse Road corridor improvement program phase I	500,000
City of Covina Metrolink Pedestrian Bridge	500,000
City of Crowley's Historic Parkerson Avenue Redevelopment project, Louisiana	1,000,000
City of Elkhart Hively Avenue underpass, Indiana	100,000
City of Fort Worth Corridor Redevelopment Program	2,000,000
City of Gardena Street and Highway Improvements	500,000
City of Kennesaw, Georgia: Pedestrian Underpass	1,500,000
City of Lakewood, Colorado, US 6 and SH 121 Interchange Reconstruction	500,000
City of Las Vegas Pedestrian Connections	500,000
City of Lufkin—Intermodal Transit Terminal/Parking Facility	1,000,000
City of Madison State Street Revitalization	750,000
City of Madison, Wisconsin East Washington Avenue Reconstruction	2,000,000
City of Orangeburg Railroad Relocation Project	2,000,000
City of Oxford, Mississippi bike path	800,000
City of Revere, Massachusetts Intermodal Transit Improvements	2,200,000
City of St. Petersburg, Florida, bike path	500,000
City of Waco Bus Facility Project	1,500,000
City of Westbrook, Maine, Improvements to Route 25, Wayside Drive and William Clark Drive	1,000,000

Project	*Amount*
City of Wewoka, Oklahoma	250,000
Cleveland Avenue, Lake Township, Ohio	1,000,000
Collins Road (Iowa Highway 100) and 1st Avenue (Business Highway 151) in Cedar Rapids, Iowa	750,000
Colonial National Historic Park, Jamestown 400th Anniversary Transportation Improvements, Virginia	7,000,000
Coltsville Corridor Redevelopment Project, Connecticut	1,000,000
Commerce City, Colorado, East 104th Avenue and US 85 Intersection Improvements	500,000
Commodore Barry Bridge ramps to Chester, Pennsylvania	1,000,000
Construction of rail overpass in Claremore, Oklahoma	500,000
Construction of the Bishopville Bypass in Lee County, South Carolina	500,000
Construction of US 17 and Bowman Road Interchange in Town of Mount Pleasant, South Carolina	250,000
Convocation Center Roadway	2,000,000
Copperas Cove Reliever Route, Texas	1,000,000
Corporal Roger Sneeden Drive Overpass, Boone, Iowa	40,000
County State Aid Highway 21 Project, Minnesota	750,000
CR 578 Widening from Mariner Boulevard to Suncoast Parkway, Florida	1,250,000
Craig Road Improvements, Alaska	1,000,000
Crocker/Stearns, widening and construction, North Olmstead, Ohio	800,000
CSAH 42: Segment 8 Implementation Plan Project	250,000
Cumberland Head Connector Road, Clinton, New York	1,000,000
Cyberport, Arizona	2,750,000
Dagget Road, Port of Stockton, California	100,000
Decatur Beltline Expansion, Decatur, Alabama	2,000,000
Delaware Avenue Streetscape Program in the Village of Kenmore, NY	600,000
Delaware Commuter Rail Improvement Project	1,500,000
Delaware River Port Authority—Ben Franklin Bridge, Pennsylvania	5,000,000
Deming, New Mexico I–10 Frontage Road Extension	1,800,000
Derita Road Improvements Project, Concord, North Carolina	1,250,000
Des Moines Riverwalk, Des Moines, Iowa	1,000,000
Detroit Center City Loop	750,000
Donlin Creek Road, Alaska	10,000,000
Double Eagle II Airport (Paseo del Volcan) Interchange and Roadway Rehabilitation, New Mexico	2,000,000
Downtown Butler Cityscape Project	150,000
Downtown Rail Trolley, Corpus Christi, Texas	500,000
Dynamic Changeable Message Signs—Urban Interstate System, Iowa	1,000,000
East Bay Incident & Emergency Management System	200,000
East Central Bus Coalition Bus Procurement, Florida	3,000,000
East Flagstaff Traffic Interchange, Arizona	1,000,000
Eufaula Broad Street Restoration Project, Alabama	500,000
Exit 18 Connector Road, Warren County, New York	300,000
Extend 4-Lane Highway from Maverick Junction to Nebraska in Fall River County, South Dakota	250,000
Fairfield/Vacaville Intermodal Transit Station	800,000
Fairmont Gateway Connector System	5,600,000
Fairmont Pedestrian Bridge	200,000
Fall River Drainage Bridge Replacement, Harper County, Kansas	1,500,000
False Pass, Alaska causeway and road to the terminus of the south arm breakwater project	3,000,000
Farish Street Historic District Improvements, Mississippi	500,000
FAST Corridor, Washington	3,000,000
Fayette Downtown Revitalization, Alabama	700,000
Feasibility Study and Work Plan for International Trade Processing Center, Wichita, Kansas	1,000,000
Feasibility study for Routes 495/195 Interchange, Wareham, Massachusetts	500,000
Fairbanks Transit bus replacement, Alaska	3,000,000
Fishers Island Ferry District New London Terminal Expansion and Upgrade, Connecticut	750,000

Project	*Amount*
Five laning of Kickapoo, Shawnee Oklahoma	1,200,000
Five Points Improvement Project, Huntsville, Alabama	500,000
Fleming County maintenance garage	275,000
Florida Beach Walk Initative, Clearwater, FL	500,000
Florida High Speed Rail Corridor Project	4,000,000
FM 66 Ellis County from IH–35 in Waxahachie to FM 157 at Maypearl, Texas	750,000
Forest Park/Atlanta State Farmers Market Transportation Study, Georgia	400,000
Forsyth Downtown Streetscape Project, Georgia	750,000
Fort Worth Urban Villages and Commercial Corridors	500,000
Franklin County Connecticut River Scenic Byway, MA	1,000,000
Frazer Township Interchange, Pennsylvania	500,000
Frederick Douglass Bridge, Washington, DC	7,000,000
Freight Rail Transportation Corridor and Urban Mobility Program, Harris County, Texas	1,000,000
Frontage Road, I–20 Vicksburg, Mississippi	2,500,000
Gallagher Intermodal Transportation Center Project	1,800,000
Galveston Railroad Bridge Replacement, Texas	500,000
Gateways for Maine's National Scenic Byways	1,000,000
Genesee & Wyoming, South Buffalo, New York, track rehabilitation	500,000
Georgia Veterans Memorial Park, Rockdale County, Georgia	500,000
Gill-Montague Bridge, Massachusetts	5,000,000
Gilmerton Bridge, Virginia	4,000,000
Girdwood Project, Alaska	1,000,000
Glacier National Park Going to the Sun Road, Montana	8,000,000
Glenwood Avenue Overpass, Ohio	1,000,000
Grade Separation Interchange at Burlington Avenue and the new Hoosier Hartland Highway in Logansport, Indiana	1,000,000
Grand Avenue Railroad relocation, Illinois	500,000
Grand Canyon Greenway Project, Arizona	250,000
Grandview Triangle Improvements, Missouri	1,000,000
Granite Street and Bridge Widening Project, New Hampshire	7,000,000
Great Miami River Recreational Trail, Miami and Warren Counties, Ohio	342,500
Great River Road in Mercer County, Illinois	250,000
Greenville, Mississippi, I–69 Connector EIS, Route Location, Feasibility Study	1,000,000
Greenwood Railroad Relocation, Mississippi	1,500,000
Haleyville Bypass, Alabama	6,500,000
Hamilton County Riverway, Indiana	500,000
Harlem River Promenade, New York	500,000
Harlingen: Railroad Relocation	800,000
Harrisburg Transportation Center	1,200,000
HART Bus Facility—Ybor Station Intermodal Facility	500,000
Hartford New Britian Busway, Connecticut	6,000,000
Henry Drive Bridge #801—Fort Riley, Kansas	5,000,000
Highway 19 Expansion, Mississippi	2,000,000
Highway 22 Improvements Edwards-Canton	2,000,000
Highway 226: Highway 67 to Highway 63 Jonesboro, Arkansas	1,500,000
Highway 29/Highway 51 Wausau, Wisconsin	4,000,000
Highway 412: Baxter County Line to Eastern Sharp County Line, Arkansas	1,000,000
Highway 60 and Highway 65 Interchange Replacement	1,250,000
Highway 74 Monroe Bypass	2,600,000
Highway 92 study in Warren County, Iowa	460,000
Hillsborough County I–4 Crosstown Connector, Florida	2,000,000
Historic Street Improvements, New Bedford, Massachusetts	300,000
Hobson Intermodal facility in Middleport, Ohio	200,000
Hollywood Drive Expansion Project—City of Jackson, Tennessee	600,000
Holyoke Canalwalk, Massachusetts	1,200,000
Holyoke Multimodal Transportation Center, MA	2,000,000
Hoover Dam Bypass-Boulder Extension (US 93/US 95, Wagon Wheel Pass), Nevada	6,000,000
Hopkins County, Texas Intermodal Center	750,000
Houston Greater Partnership Quality of Life Initiative, Texas	500,000
Houston, Texas Main Street Corridor Revitalization Project	500,000

Project	*Amount*
Houston-Galveston Regional Congestion Study, Texas	750,000
Hudson Crossing, Bi-County Education Park	250,000
Huntsville federal building, Alabama	3,600,000
Hydaburg Road Improvements, Alaska	2,000,000
I–20 widening in Caddo (Texas line, Shreveport)	500,000
I–15 North, Davis County, Utah	2,000,000
I–15, Utah/Salt Lake County Line to SR–92	2,300,000
I–195 Relocation, Rhode Island	2,000,000
I–20 Widening and Safety Improvements, Alabama	3,500,000
I–205, Oregon	1,000,000
I–215 and Barton Road Interchange, Grand Terrace, California	500,000
I–270 at Dorsett & I–70 interchange improvements, Missouri	5,000,000
I–275 to AA Highway Connector, Kentucky	1,500,000
I–40 Crosstown Expressway	27,000,000
I–44 exit ramp in Luther area, Oklahoma	2,000,000
I–44 widening and construction Arkansas River east to Yale Avenue in Tulsa, Oklahoma	6,000,000
I–49 North, Louisiana	3,000,000
I–5 Second Street Bridge, Mount Vernon, Washington	3,000,000
I–5 Transportation and Trade partnership project, Southwest Washington	3,000,000
I–5, 116th Street NE Interchange Improvements, Snohomish, Washington	2,000,000
I–540 and Perry Road Interchange, Rogers, Arkansas	3,000,000
I–55, Church Road to Tennessee State Line, DeSoto County, Mississippi	2,000,000
I–64 and Pocahontas Parkway Connector	1,200,000
I–65 Cloverland Bridges, Montgomery, AL	1,000,000
I–65 Industrial Park Access Improvements, Atmore, Alabama	500,000
I–66 Pike County, KY	2,000,000
I–66 Somerset to London, KY	2,000,000
I–66/Route 29 Gainsville Interchange, Virginia	1,750,000
I–69 Connector, Arkansas	750,000
I–69, Louisiana	2,000,000
I–69, Texas	7,400,000
I–73, South Carolina	2,250,000
I–75 in Rockcastle County, Kentucky (Milepoint 64.5 to Milepoint 69.0), 4.5 Miles	1,500,000
I–75, Enterprise South Connector Road, Chattanooga, Tennessee	1,000,000
I–75, Whitley County, Kentucky erosion mitigation	500,000
I–79/Parkway West Missing Ramps and Widening Project, Pennsylvania	1,000,000
I–80 Bridges Cedar River Bridges, Iowa	3,000,000
1–80 Waukee/West Des Moines Interchange	3,000,000
I–81 Corridor and I–690 Interchange Improvement Project in Syracuse, New York	2,000,000
1–87 exit 11A new interchange, New York	2,000,000
I–880/Coleman Avenue Interchange Reconstruction	1,000,000
I–95 at CR 23, Georgia	750,000
I–95/SR1 Interchange Turnpike Improvements, Delaware	1,000,000
I–96 at Beck Rd. and Wixom Rd. interchange reconstruction, Michigan	2,500,000
IH 30 from FM 989 (Kings Highway) to US 59/171 (Stateline Avenue) in Texarkana, Texas	2,500,000
IH–30 Interchange Improvement Project, Texas	2,000,000
IH–35 Texas	6,000,000
Illinois Route 38 at Union Pacific Railroad Grade Separation	250,000
Improve access to the Pennsylvania Correctional Institute near Brownsville, Pennsylvania	3,000,000
Improvements to I–70/Route 63 Interchange—Columbia, Missouri	1,000,000
Improvements to I–75 in Lee County, Florida	1,500,000
Indianapolis Stadium Drive District, Indiana	2,000,000
Industrial Park Access Road Winfield, Alabama	500,000
Industrial Road Improvements, Seminole, Oklahoma	500,000
Intermodal Transload Facility, Quincy, Washington	2,000,000
Intermodal Transportation for Corridor from Atlanta to Chattanooga, Tennessee	2,000,000

Project	*Amount*
Interstate 10/Tippecanoe Interchange, California	3,000,000
Interstate 15 Managed Lanes, California	1,000,000
Interstate 5–Sorrento Valley Road and Genesee Avenue Interchange Project	1,500,000
Interstate 80, Northwest 27th St. to West of 1–180, Nebraska	1,500,000
Interstate 90 joint port-of-entry near Sheridan	1,000,000
Interstate 94/43/794 (Marquette Interchange), Milwaukee, Wisconsin	6,000,000
Interstate–75 Interchange at Pines Boulevard (SR 820)	1,000,000
InterTech Science Park Transportation-Improvements Initiative	500,000
Iowa City Near North Side Transportation Center, Iowa	2,100,000
Island Transit Operations and Maintenance Facility	1,800,000
ITS—City of East Peoria	200,000
ITS—174 in Peoria, IL	750,000
Jacksonville Water Taxi Stations, Florida	750,000
Jefferson Road Connector (Kanawha County, West Virginia)	1,000,000
Jimmy Carter Blvd pedestrian safety, Gwinnett County, Georgia	400,000
Johnsonburg By-pass	300,000
Johnsontown Road, Kentucky	1,000,000
Jonesboro Transportation and Drainage Planning, Arkansas	1,000,000
Kaskaskia Regional Port District, access roads	220,000
Kenai Fjords National Park Resurrection Bay Trail and Parking Improvements, Seward, Alaska	2,300,000
Kennedy Center Potomac River Pedestrian and Bike Path	5,000,000
Kentucky TriModal Transpark	5,250,000
Keystone Drive and Related Improvements, Alaska	1,500,000
King County Metro park and Ride of First Hill, Seattle, Washington	3,626,000
King County, South Park Bridge, Washington	2,000,000
Knik Arm Bridge Causeway, Alaska	6,000,000
KY 115 and KY 911 Interchange, Kentucky	1,500,000
L.L. Tisdale Parkway/Increase Loop, Oklahoma	250,000
LA 1148 to US 77 Alternate Access Improvement Project, Iberville Parish, LA	500,000
LA 143–US 165 Connector & Ouachita River Bridge, Louisiana	1,250,000
LA Highway 28, Louisiana	2,000,000
La Mesa-Nisqualli Road/I–15 Interchange Project	250,000
Lafayette Street Extension/Pennsylvania Turnpike Electronic Toll Interchange	750,000
Lake County, Tennessee, State Route 21, from Log Mile 7.0, to Obion County Line	1,000,000
Lake Martin Regional Industrial Park Access Rd., Kellyton, Alabama	500,000
Lake Stanley Draper Road Improvements, Oklahoma	300,000
Lane Transit District Bus Facilities	750,000
Laredo Signal Integration Project	1,750,000
Lawrence Gateway Quadrant Area Reuse Plan, Lawrence, Massachusetts	500,000
Lawrence, Kansas, Transit System maintenance facility	400,000
Lechmere Station Relocation and Intermodal Expansion, Boston, Massachusetts	1,000,000
Lewis & Clark 511 Coalition, Montana	1,000,000
Lewis and Clark Expressway, Jackson County, Missouri	1,000,000
Lewis and Clark Historic Park at Kaw Point, Wyandotte County, Kansas	425,000
Lexington Bridge Project, Cowlitz County, Washington	1,500,000
Lincoln Boulevard Improvement Project, California	1,000,000
Lincoln bypass-SR65/Ferrari Interchange Construction, California	2,000,000
Logan Square Access and Safety Improvements, Philadelphia, Pennsylvania	800,000
Lombardy Street Renovation between Route 1 and Admiral Street (Richmond, VA)	750,000
Lone Tree Way Undercrossing of Union Pacific Railroad, Brentwood, CA	250,000
Long Meadow Parkway Fox River Bridge Crossing, Bolz Road, Illinois	3,000,000
Loop 304 Expansion and Improvement, Crockett, Texas	1,000,000

Project	*Amount*
Los Angeles City College Red Line Pedestrian Connector	800,000
Lucille Street and Mack Drive Improvements, Wasill, Alaska	1,000,000
Ludlum Trail, Miami-Dade County, Florida	500,000
Lyndale Avenue Bridge, Minnesota	3,000,000
M&B Railroad Bridge 46.3 Repair, Alabama	1,000,000
Mahoning and Trumbell Counties—State Route 46, Ohio	2,500,000
Manhan Rail Trail Coleman Road Extension and Mitigation Project	750,000
Manhattan-West Gallatin River Trail, Montana	300,000
Marine Maintenance Facility Phase I, Manns Harbor, North Carolina	1,000,000
Marinette County, Wisconsin 1,250,000	500,000
Market Street Bridge, Pennsylvania	250,000
Market Street, South Burlington, Vermont	1,000,000
Martin Luther King, Jr. Pkwy in Des Moines, IA	2,000,000
Matanuska-Susitna Roads Improvement, Alaska	3,000,000
McCaslin Boulevard/U.S. 36 Interchange Construction, Colorado	3,000,000
MD 4 Suitland Parkway Interchange	4,000,000
MD 404, Phase II, Maryland	1,000,000
MD 70 Bridge over Weems Creek, Maryland	300,000
Meridian Bridge Replacement, Yankton, South Dakota	2,000,000
Mesa del Sol, Albuquerque, New Mexico	1,500,000
Milwaukee Avenue Rehabilitation, Illinois	200,000
Miniature Transportation Safety Training Village in the Town of Brookhaven, New York	1,000,000
Monterey Bay Sanctuary Scenic Trail	400,000
Montgomery County ITS Phase II	1,000,000
Montgomery County/U.S. 35 Widening, Ohio	1,500,000
Montgomery Outer Loop, Alabama	2,000,000
Monticello/White County 6th Street West Shafer Drive	800,000
Moorefield, West Virginia Streetscape	200,000
Morgantown Intermodal Facilities	2,250,000
Morse Road Improvements, Phase I, Indianola Avenue to Karl Road, Ohio	1,000,000
Mukilteo Multimodal Terminal, Washington	2,000,000
Municipal Transit Operators Coalition, California	1,000,000
Mystic Seaport's Riverfront Access Project	100,000
Nashville, Tennessee, East Corridor Commuter Rail project	1,000,000
Navajo Route 16	200,000
NE 10th Overlake Hospital Transportation Efficiency and Development Study, Washington	1,000,000
NE 23rd Street between Lincoln and I–35, Oklahoma City	500,000
NEHLA Connector Road and Infrastructure Update	500,000
Neuse River Greenways Construction, Raleigh, NC	500,000
New Jersey Route 31 Highway/Congestion Mitigation Study	150,000
New Jersey Route 57/CR Route 519 Intersection Improvements	1,300,000
NH DOT—Londonderry South Road Advance, Mitigation/Wetland Creation	500,000
Niagara Falls International Rail Station & Intermodal Transportation Center, New York	2,500,000
Noise Barriers, Columbia County, Georgia	200,000
Nonconnnah Road, Tennessee	2,000,000
Norfolk, Virginia light rail transit	1,000,000
North Delaware River East Coast Greenway Trail Project, Pennsylvania	750,000
North Las Vegas Intermodal Transit Hub	1,000,000
North Pole Roads Lighting, Alaska	950,000
North Sinatra Avenue Drive, Hoboken, New Jersey	500,000
North Slope Borough Road Improvements, Alaska	3,000,000
North South Connector Highway, between SR119 and SR 30 in Chatham and Effingham Counties	250,000
Northern Bypass of Somerset, Kentucky in Pulaski County	3,000,000
Northern Corridor, St. George, Utah	1,000,000
NW Quadrant Project in the City of St. Anthony, Minnesota	750,000
Ohio and Erie Canal towpath trail, Ohio	1,000,000
Oklahoma County I–40 ITS	3,000,000
Oneonta, Alabama Downtown Revitalization	500,000
Orchard Lane and Factory Road, Greene County, Ohio	1,000,000

Project	*Amount*
Osceloa, Wisconsin installation of culverts under Hwy. 35 and repair of eroded highway beds	400,000
Otay Mesa/State Route 905, California	3,000,000
Park Drive Street Reconstruction	500,000
Park Lane Road Improvements, Altus, Oklahoma	2,800,000
Paseo de Volcán, Rio Rancho, New Mexico	4,000,000
Paulsboro Brownfield Development Overpass to I–295 project, New Jersey	1,000,000
PCDC Bus-stop Related Facility Enhancements	750,000
Pedestrian Walkway over US Highway 601 at South Carolina State University and Claflin University	400,000
Pedestrian/Bicycle Linkage & Scenic Overlook Restoration, Grant, Alabama	25,000
Pembroke Road Overpass at I–75, Florida	1,000,000
Pembroke Road Overpass Bridge at Interstate–75	1,000,000
Pennsylvania Mon Fayette Expressway and Southern Beltway Project, Pennsylvania	2,000,000
Pennsylvania State Route 30/981 upgrade	500,000
Pennsylvania Turnpike Commission—High Priority Corridor #31	5,000,000
Phalen Boulevard, Minnesota	2,000,000
Phase 2 South Palm Canyon Realignment and Ancillary Access Improvements, California	1,000,000
Phase II, Minnesota Valley Regional Rail Authority	2,000,000
Pineda Causeway Interchange at I–95, Florida	1,100,000
Pinellas County, Florida Roosevelt Connector Project	7,000,000
Pioneer Valley Transit Authority (PVTA) ITS, MA	3,000,000
Pittsburg, Kansas Port Authority for the Kansas & Oklahoma Railroad	2,000,000
Planning, location, environmental work and PE for four lane US highway 20 Corridor through Woodbury, Ida and Sac Counties, Iowa	1,550,000
Plough Boulevard Interchange (at Winchester Road)—Memphis, Tennessee	2,000,000
Pogue Airport Access Road, Oklahoma	2,000,000
Pookela Road, Hawaii	4,000,000
Popps Ferry Road Bridge, Mississippi	2,000,000
Port of Albany Security Improvements, New York	500,000
Port of Anchorage Intermodal Facility, Alaska	1,500,000
Port of Ketchikan Ferry Facility, Alaska	1,000,000
Port of Pasco, Ainsworth Avenue Realignment—Sacagawea Heritage, Washington	3,000,000
Port of Rochester Transportation Security/Intelligent Transportation, (ITS) Project	1,250,000
Puerto Rico Port Authority Ferry Program	500,000
Queens Plaza Roadway rebuilding project, Long Island City, New York	750,000
Rahway River Corridor Greenway Bicycle and pedestrian Path	270,000
Reconstruct Allen Road, Bennett County, South Dakota	2,000,000
Reconstruction of Cowan Road from 23rd Street to the Muncie By-Pass, Indiana	2,000,000
Redesign of Highway 527 Spur connecting US59 to downtown Houston, Texas	1,000,000
Reflective Crack Relief Interlayer, US 59, Texas	3,000,000
Regional Expansion of City CarShare pilot program	500,000
Regional Traveler Information Center at the University of Massachusetts, Amherst	400,000
Removal of the Old Jamestown Bridge in Rhode Island	5,000,000
Reno Public Plaza—Rail Access Corridor Enhancement (ReTRAC)	500,000
Reno-Stead Railroad Spur, Nevada	1,000,000
Replace Meridan Bridge at Yankton, South Dakota	1,000,000
Replacement of Bridges between cities of Ben and Ontario, Oregon	250,000
Right of way Project on IH 35, from FM 2063 in Hewitt to South Loop 340/ State Hwy 6 Interchange, Texas	1,000,000
RIPTA ITS Program Phase II, Rhode Island	1,500,000
Riverfront Redevelopment and Park Area, City of North Augusta, South Carolina	2,000,000
Riverwalk, Montgomery, Alabama	1,000,000

Project	*Amount*
Road at Fish Trap Lake, Pike County, Kentucky	500,000
Rock Creek Bridge Replacement, Harper County, Kansas	1,600,000
Rock Island County, Illinois Milan Beltway Construction	500,000
Rockland County and City of Yonkers, New York Ferry Service	1,250,000
Rosemead Boulevard/Highway 19 Rehabilitation North to South City limits, Pico Rivera, California	300,000
Route 1&9 and St Pauls Avenue Bridge, Hudson County, New Jersey	2,000,000
Route 11, Connecticut	3,000,000
Route 116 Ashfield, Conway, Massachusetts	2,500,000
Route 12 Corridor, New York	3,000,000
Route 130 Renaissance Boulevard to Adams Lane Intersection Improvements, Middlesex County, New Jersey	800,000
Route 15/186 Interchange Phase II, New York	2,500,000
Route 17 Congestion Improvements from Route 3 to Linwood Avenue, Bergen County, New Jersey	1,000,000
Route 17 Improvements from Route 3 to Linwood Avenue, Bergen Co, New Jersey	1,000,000
Route 17 Safety Improvements from Route 50 to I–66, Virginia	200,000
Route 17/Essex St. Bridge Replacement, Bergen County, New Jersey	2,500,000
Route 2 Safety Improvements, Athol, Philipston, Orange, Massachusetts	2,500,000
Route 29 Scenic Byway, Hunterdon County, NJ	300,000
Route 50 traffic calming in Loudoun and Fauquier Counties, Virginia	1,000,000
Route 501 Corridor Coalition	100,000
Route 66, Village of Chatham, New York	1,500,000
Route 7 between Leesburg and Tysons Corner, Virginia ITS	500,000
Route 8, Berkshire County, Massachusetts	1,250,000
Route 9W Alpine/Tenafly, Bergen County, New Jersey	750,000
Routes 23 and 94—Linwood Avenue to Wallkill Avenue Intersection, Sussex Co., NJ	500,000
Ruffner Mountain Nature Preserve, Alabama	700,000
Rural Highway Information System, KY	2,000,000
Rural Road Safety enhancement program, Monterey, County, California	500,000
S–323 Alzada-Ekalaka, Montana	3,500,000
Saddle Road Improvement, Hawaii	4,000,000
Safford, 8th Avenue Bridge, Arizona	1,000,000
Saginaw Transit Multimodal Downtown Transit Facility, Michigan	1,000,000
Sakonnet River Bridge Replacement, Rhode Island	1,500,000
Salem Area Transit-South Salem Transit Center	750,000
Salem Bridge, Oregon, environmental impact study	400,000
San Francisco Muni Third Street Project	2,500,000
San Francisco Muni Transportation Communications System	1,500,000
San Juan Boulevard, Bellingham, Washington	1,225,000
San Luis II Access Road, Arizona	1,050,000
Santa Clarita Cross Valley Connector, California	3,000,000
Santa Monica College 11th Street Parking Structure	1,000,000
Saratoga County—Copeland Covered Bridge	38,000
Satsop Road Access Improvements, Grays Harbor, Washington	375,000
Sauk Trail Reconstruction Improvements, Park Forest, Illinois	330,000
Sauk Village Industrial Park Access Road	600,000
Savannah Water Ferry Project, Georgia	1,000,000
Scott City Missouri Access Ramp	250,000
Seattle 5th Avenue NE Transpiration System and Streetscape improvements	300,000
Seattle, Elliot Avenue & BNSF Crossing Path Improvements, Washington	1,000,000
Seldovia-Homer-Jakolof Bay Halibut Cove Ferry Planning and design, Alaska	2,000,000
Seward Road Improvements, Alaska	2,000,000
SH288 Grade Separation at County Road 51, Brazoria County, Texas	1,000,000
Sheridan Road, Evanston, Illinois	800,000
Ship Creek Improvements, Alaska	1,000,000

Project	*Amount*
Sierra College Boulevard/I–80 Interchange, California	1,000,000
Sitka Road Improvements, Alaska	1,500,000
Somerset SW Bypass US 27 South to Nunn Parkway West of Somerset, Kentucky	1,500,000
South La Brea Avenue and Imperial Highway Realignment Project	500,000
South Lake Union Circulation System, Seattle, Washington	3,000,000
South Nissan Interchange, Mississippi	4,000,000
South Orient economic rehabilitation project, Texas	4,000,000
South Orient Railroad rehabilitation	1,500,000
South Perry Street Bridge	300,000
Southern Beltway (I–215) Widening and Interchange Project, Nevada	5,000,000
Southworth Terminal Redevelopment/Vashon Terminal Preservation, Washington	500,000
Spokane, University District Transportation Safety Enhancement Project, Washington	1,000,000
Springfield Greenway Extension, Tennessee	100,000
SR 1/US 27 widening, Heard County, Georgia	2,500,000
SR 196 Widening, Liberty County, Georgia	1,000,000
SR 31, All Weather Roadway Construction and Widening, Pend Oreille County, Washington	1,600,000
SR 509/SR518 Interchange/Intersection Redevelopment (Burien), Washington	2,000,000
SR 79/West Bay Bridge Improvements, Panama City, Florida	3,000,000
SR 79/West Bay Bridge Improvements, Panama City, Florida	1,000,000
SR 874 ITS Integration Project	1,000,000
SR–56/I–5 Northbound Widening, California	1,000,000
St. Charles, Illinois, Fox River Crossing at Red Gate Corridor	2,000,000
St. George Transit O&M Facility	500,000
St. George's ferry and ferry facilities, New York	1,000,000
St. Leo Univerisity Transportation Safety & Community Access Project	2,500,000
St. Mary's Road Paving Project	100,000
State Highway 133 Widening, Colquitt County, Georgia	1,250,000
State Highway 29 (Interstate 94—Chippewa Falls, Wisconsin)	2,000,000
State Highway 332 at Brazos River, Brazoria County, Texas	6,000,000
State Street Corridor Improvement Plan	1,000,000
Stourbridge Rail Excursion Line, Pennsylvania	83,000
Streetscape/Roadway Improvements to the Chester City (PA) Waterfront	350,000
Suffolk Bike Trails, Virginia	150,000
SUNY Tockland University Center—Shuttle Service	280,000
Susquehanna Road/Limekin Road/Norfork Southern Bridge project, Pennsylvania	1,000,000
Swift Rail Siding Project, Blaine, Washington	3,000,000
TARTA/Toledo Bus Fueling Facilities Improvements	1,500,000
Taylor Dock Project, Bellingham, Washington	677,000
Teaneck, New Jersey Pedestrian Overpass	500,000
Tennessee State Route 28/US 127	1,000,000
Thackerville, Oklahoma I–35 Interchange	1,000,000
The City of Lithonia Streetscape Project	400,000
The French Creek Parkway, Pennsylvania	200,000
The Montachusett Area Regional Transit (MART) Regional Transit Facility	2,000,000
The Sunrise Corridor, Oregon	500,000
The US Highway 17–92 Widening Project, from Poinciana Boulevard to Ham Brown Road	500,000
Thomas Cole National Historic Site, New York	50,000
Toledo Downtown Waterfront Redevelopment	750,000
Topeka Boulevard Bridge, Kansas	8,500,000
Towboat Display and Classroom Project, Oklahoma	250,000
Town Center/Old Town Enhancement Project for the City of Yorba Linda, California	3,100,000
Town of Dublin, New Hampshire Traffic Calming Project	300,000
Traffic Calming for the City of Riviera Beach, Florida	500,000
Trans-Hudson Midtown Corridor Project, New Jersey	3,500,000

Project	*Amount*
Transportation Improvement Project, Desert Hot Springs, California	1,925,000
Treasure Island Bridge	6,000,000
Trevillian Way, Kentucky	400,000
Tri-County Automated System Project, University of Southern Mississippi	1,000,000
Truck Inspection pull-off on Route 9 in Loudoun County, Virginia	100,000
Trunk Highway 610/10, Minnesota	3,750,000
Tupelo Rail Relocation	500,000
Turquoise Trail Project (BIA Route 4), Arizona	1,250,000
Tuscaloosa Downtown Revitalization Project, Alabama	5,000,000
U.S Highway 52, County State Aid Highway 24 Interchange	500,000
U.S. 101 Bikeway System, California	250,000
U.S. 218/Main Street Reconstruction—Phase II, Iowa	2,000,000
U.S. 31 South Bend to Indianapolis Freeway project	2,000,000
U.S. 319 Expansion	1,000,000
U.S. 412 Mountain Home to Hwy. 101, Arkansas	4,000,000
U.S. 51, Christian/Shelby Counties, Illinois	2,000,000
U.S. 54 (Kellogg), from I–35 to K–96, Wichita, Kansas	1,000,000
U.S. 95 Laughlin to Searchlight (Phase 3), Nevada	8,000,000
U.S. Highway 276 Project Study	200,000
U.S. Highway 54, Kansas	3,000,000
U.S. Route 35 in Mason and Putnam Counties, West Virginia	5,977,500
UAB Center for Injury Sciences, Birmingham, Alabama	2,000,000
Umatilla Intermodal Facility	1,000,000
Union Station Regional Intermodal Transportation Center	800,000
University of Alaska Transportation Research Center	2,000,000
University of Delaware Intermodal Transportation Facility, Delaware	1,000,000
University of Oklahoma Intelligent Bridge Systems Research	3,000,000
University of Southern Maine Pedestrain Access	725,000
Upgrade of the Interstate 95 and SC–327 Interchange in South Carolina	1,400,000
US 12 Widening, Wallula Junction to Walla Walla, Washington	3,000,000
US 20 Webster County Widen to four lanes, Iowa	1,500,000
US 25 Widening, Burke County, Georgia	1,000,000
US 278 Corridor, South Carolina	1,000,000
US 278 from Sulligent, AL to Guin, Alabama	2,000,000
US 287 South to IH 45, Ennis, Texas	1,500,000
US 30/67 (Section II), Clinton, Iowa	1,000,000
US 36, Wadsworth, State Highway 128 Interchange	800,000
US 431 Widening and Reconstruction, Tennessee	500,000
US 50 Phase I highway and water quality improvement project, California	2,000,000
US 93 Kalispell Bypass Project, Montana	3,500,000
US Highway 212/County Road 134 Intersection, Minnesota	700,000
US Highway 212/County Road 134 Intersection, Minnesota	750,000
US Highway 6 improvements, Coralville, Iowa	1,000,000
US Highway 84, Evergreen, AI to Monroeville, Alabama	250,000
US–12 Burbank to Walla Walla, Washington	1,000,000
US–27 North of Somerset	2,000,000
US–95 Worley to Mica, Idaho	7,000,000
USH 151 Dickeyville-Dodgeville, Wisconsin	2,000,000
VA Route 28 Widening	2,000,000
Vallejo Station Intermodal Center, California	1,250,000
Valles Caldera National Preserve, New Mexico	1,200,000
Vancouver State Route 14 pedestrian Bridge, Washington	500,000
Vermont Covered Bridges	2,000,000
Village of Medina, New York Pass-Through Project	750,000
Village of Owego riverwalk, New York	600,000
Village of Schuylerville, New York	750,000
Washington Street Improvements, Haymarket, VA	500,000
Welcome Center US 90, Ohr-Okeefe Museum	1,750,000
West Grand Ave. (from North Western to N. California Ave.)	800,000
West Laredo Multimodal Trade Corridor, Texas	2,400,000
Westfield Multimodal Transportation Center, MA	1,700,000
Weston Avenue Streetscape, Wisconsin	1,650,000

Project	*Amount*
White Pond Drive, Akron, Ohio	750,000
WI—Highway 2 Ashland, Wisconsin	2,000,000
WI—Highway 53 Chetek, Wisconsin	2,000,000
Widen and Improve Q Street, Nebraska	1,000,000
Widen from 2 to 5 lanes, Gratiot Avenue from 24½ Mile Road to 26 Mile Road.	500,000
Widen NC 210 in Cumberland County, North Carolina	500,000
Widen Route 47 from Kreutzer Road to Reed Road, Huntley, Illinois	1,000,000
Widening and creation of sidewalks at Floyd Road and Veterans Memorial Highway in Cobb County, Georgia	1,600,000
Widening Interstate 35 East between FM2181 and Lake Lewisville, Denton County, Texas	500,000
Williamsport/Pile Bay Road, Kenai, Alaska	3,000,000
Winner Creek Trail Improvements, Alaska	1,000,000
Wood/Sandusky/Lucas Counties—U.S. Route 20, Ohio	5,000,000
Woodland Avenue Bridge, Ohio	1,000,000
WV Route 9	11,000,000
Yakataga River Bridge in Alaska	3,000,000

The conference agreement includes a provision (Sec. 116) that allows ITS funds already appropriated for use in specified locations within Wisconsin to be spent in additional locations within the State.

The conference agreement includes a provision (Sec. 117) that directs the Secretary to enter into an agreement with Nevada and/or Arizona to provide a funding method for the Hoover Dam Bypass Bridge, as proposed by both the House and Senate.

The conference agreement includes a provision (Sec. 118) that allows funds provided for a specific project in the Intermodal Surface Transportation Efficiency Act of 1991 to be used on a project in Detroit, Michigan.

The conference agreement includes a provision (Sec. 119) that reprograms a project in Conference Report 106–940 for a project in Detroit, Michigan.

The conference agreement includes a provision (Sec. 120) that reprograms a project in Conference Report 107–308 for a project in Detroit, Michigan.

The conference agreement includes a provision (Sec. 121) that provides unexpended amounts for a project in Public Law 108–7 to specified areas in Kansas.

The conference agreement includes a provision (Sec. 122) that relates to surface transportation projects.

The conference agreement includes a provision (Sec. 123) that amends section 14501 of title 40, United States Code.

The conference agreement includes a provision (Sec. 124) that modifies a Senate provision that directs the Secretary of Transportation to amend the Manual on Uniform Traffic Control Devices to include a provision regarding locating licensed 24-hour pharmacy services and placement of logo panels on the Federal-aid highway system.

The conference agreement includes a provision (Sec. 125) that allows specified costs associated with a project in San Diego, California to be eligible for Federal funding.

The conference agreement includes a provision (Sec. 126) that amends a provision in Public Law 108–7 relating to a project in Kentucky.

The conference agreement includes a provision (Sec. 127) that amends a project in Public Law 108–7.

The conference agreement includes a provision (Sec. 128) that amends a provision in Public Law 106–346 relating to a project in Kansas.

The conference agreement includes a provision (Sec. 129) that amends a provision in section 375 of division I of the Consolidated Appropriations Resolution, 2003, relating to a project in Pennsylvania.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

The conference agreement includes $176,070,000 for administrative expenses of the Federal Motor Carrier Safety Administration (FMCSA) under the FMCSA limitation on administrative expenses (LAE) account. The House and Senate bills proposed $92,712,176 and $292,972,233, respectively for both administrative expenses plus five grant programs. The conference agreement provides funding for these grant programs under a miscellaneous appropriations within the Federal Highway Administration appropriation, and provides funding under FMCSA's LAE in the following manner:

Safety is good business	$250,000
Crash data improvements	5,000,000
Conditional carrier review	2,000,000
Household goods enforcement	920,000
Hotline	375,000
Research and technology	7,000,000
Regulatory development	9,500,000
Information management	11,843,000
Administrative infrastructure	7,000,000

Safety is good business program.—The conference agreement provides $250,000 for the safety is good business program, consistent with the House. The Senate proposed $500,000. The conference agreement retains language contained in the House report that FMCSA should first use this funding to develop a goal and initiatives that are directly related to that goal.

Conditional carrier review.—The conference agreement provides $2,000,000 for conditional carrier reviews as proposed by the Senate. The House report provided $1,334,000.

Household goods enforcement.—The conference agreement provides $920,000 for the household goods enforcement program, instead of $896,000 as proposed by the House and $1,370,000 as proposed by the Senate. This level provides adequate funding for the seven requested positions at half-year levels.

Research and technology.—The conference agreement provides $7,000,000 for motor carrier safety research and technology, consistent with both the House and Senate proposals. The conference retains language directing FMCSA to submit a 5-year research and development strategic plan to the House and Senate Committees

on Appropriations no later than June 15, 2004, as proposed by the Senate.

Regulatory development.—The conference agreement provides $9,500,000 for regulatory development instead of $11,000,000 proposed by the House and $8,000,000 proposed by the Senate.

Information management.—The conference agreement provides a total program level of $11,843,000 for information management, an increase of $2,500,000 from the fiscal year 2003 level. The House bill proposed $13,500,000 and the Senate bill proposed $10,398,000.

Administrative infrastructure.—The conference agreement provides $7,000,000 for administrative infrastructure instead of $4,423,000 as proposed by the House and $10,423,000 as proposed by the Senate.

Share the road safely program.—Consistent with the Senate, the conference agreement does not provide funding for the share the road safely program. Funding for this program is provided under the National Highway Traffic Safety Administration appropriation. The House proposed $500,000 for this program.

PATRIOT ACT (CDL background checks).—The conference agreement, consistent with both the House and Senate, does not provide funding for CDL background checks as this responsibility has been transferred to the Department of Homeland Security.

State grants.—In addition to the $176,070,000 provided under the limitation on administrative expenses, the conference agreement includes a total of $111,500,000 for Federal Motor Carrier Safety Administration programs under the Federal Highway Administration miscellaneous appropriation from the Highway Trust Fund (other than the mass transit account). Both the House and Senate bills proposed funding these programs from within FMCSA's limitation on administrative expenses. The conference agreement provides the funds in the following manner:

Program	*Conference*
New entrant program—State grants [1]	$8,000,000
New entrant program—Federal portion [1]	3,500,000
Southern border inspection facilities	47,000,000
Commercial driver's license improvement grants	21,000,000
Southern border operations grants	23,000,000
Northern border truck inspection grants	9,000,000

[1] This reflects a portion of the total $28,500,000 provided for the new entrant program. Of this amount, $25,000,000 is provided for grants to states, and $3,500,000 is for Federal responsibilities associated with the program.

New entrant program.—The conference agreement provides a total of $28,500,000 for the new entrant program. The conference reiterates the decision contained in both the House and Senate reports that the majority of funding for this program is in the form of state grants, and therefore retains only $3,500,000 for oversight and other Federal responsibilities. The House proposed $2,200,000 for the Federal portion of this program and the Senate proposed $4,456,000. In addition, $8,000,000 in state grants is provided under the Federal Highway Administration miscellaneous appropriations, and an additional $17,000,000 is provided for state grants under the Motor Carrier Safety Assistance Program. The conference retains language directing FMCSA to submit a new entrant program implementation plan to the House and Senate Com-

mittees on Appropriations no later than 90 days after enactment of this Act.

Hazardous materials permitting program.—The conference agreement provides $1,050,000 for the hazardous materials permitting program, instead of $1,135,000 provided by the House and $2,000,000 provided by the Senate. This amount is adequate to fund the 13 requested positions at half-year levels.

Commercial drivers license program.—Consistent with both the House and Senate, the conference agreement provides $21,000,000 for the commercial driver's license improvement grants program. The conference agreement retains the House language that encourages FMCSA to continue working with the American Association of Motor Vehicle Administrators, the Commercial Vehicle Safety Alliance, lead MCSAP agencies and licensing agencies to improve all aspects of the CDL program. In addition, FMCSA should consider sponsoring another pilot project involving law enforcement and driver licensing agencies to explore new and innovative ways to ensure that drivers who have been convicted of a disqualifying offense do not operate during the period of suspension or revocation. Finally, FMCSA should continue to support the judicial and prosecutorial outreach effort.

Southern border inspection facilities.—Consistent with the Senate bill, the conference agreement provides $47,000,000 to construct truck inspection facilities at the Southern border. The House bill contained no similar appropriation.

Southern border operations grants.—Consistent with both the House and Senate bills, the conference agreement provides $23,000,000 for southern border operations grants.

Northern border inspection grants.—Consistent with both the House and Senate bills, the conference agreement provides $9,000,000 in northern border truck inspections grants.

Border enforcement.—The conference agreement provides $121,908,000 in border funding, of which $47,000,000 is for infrastructure improvements, $32,000,000 is for state operations grants, and $42,908,000 is for personnel and enforcement operations. The conference agreement retains language proposed by the Senate directing FMCSA to establish a process to effectively enforce and monitor Mexican motor carriers and report to the House and Senate Committees on Appropriations within one year after the date of enactment of this Act.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides a liquidating cash appropriation of $190,000,000 for the national motor carrier safety program as proposed by both the House and the Senate.

(LIMITATION ON OBLIGATIONS)

The conference agreement includes a limitation on obligations of $190,000,000 for motor carrier safety grants as proposed by both the House and the Senate.

The conference agreement provides funding for the national motor carrier safety program as follows:

	Amount
Motor carrier safety assistance program	$170,000,000
Basic motor carrier safety grants	(130,329,000)
Performance based incentive grant program	(11,105,000)
High-priority activities	(8,593,000)
New entrant grants [1]	(17,000,000)
State training and administration	(2,063,000)
Crash causation (Sec. 224(f) MCSIA)	(1,000,000)
Information systems and strategic safety initiatives	(20,000,000)
Data analysis and information systems	(14,000,000)
Implementation of PRISM	(5,000,000)
Driver programs	(1,000,000)

[1] Does not include $8,000,000 provided under FHWA's miscellaneous appropriation and $3,500,000 provided under FMCSA's LAE.

Solid Waste Shippers.—From funds provided for the high priority initiative program, the conference agreement directs FMCSA to evaluate the effectiveness of the Final Rule on cargo securement for containing solid waste (including sewage sludge and combustion ash), both in container and flat bed surface transport. The analysis shall include safety, economic, and environmental considerations, and shall be provided to the House and Senate Committees on Appropriations by October 15, 2004.

Hazmat tracking system.—As proposed by the Senate, the conference agreement directs $2,000,000 from funds provided for the high priority initiative program for an expanded satellite-based, mobile communications system to monitor and track hazardous material and high-value cargo in uncovered areas of the United States.

Operation Respond.—As proposed by the Senate, the conference agreement provides $1,000,000 from funds provided for the high priority initiative program, to design, build and demonstrate the benefits of a seamless hazardous materials incident detection, management, and response system, including the expansion of the Operation Respond network. The conferees urge that these funds be used to establish a national first responders emergency services network and to accelerate deployment of Operation Respond software.

New Hampshire study.—As proposed by the House, the conference agreement provides $250,000 from funds provided for the high priority initiative program, to the New Hampshire Department of Transportation to conduct a study to evaluate the safety, economic and infrastructure impacts of a weight limit exemption on Interstates 89 and 93.

Surge Brakes.—The Federal Motor Carrier Safety Administration (FMCSA) prohibits surge brakes for use in interstate commerce. Since private vehicles are not subject to this prohibition, it causes administrative enforcement and safety problems for rental businesses and their consumers. The conference agreement directs FMCSA to determine, within 90 days of enactment of this Act, if it should initiate a rulemaking to consider permitting the use of surge brakes on small and medium trailers used in interstate commerce.

GENERAL PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

The conference agreement includes a provision (Section 130) subjecting funds appropriated in this Act to the terms and conditions of section 350 of Public Law 107–87, including that the Secretary submit a report on Mexico- domiciled motor carriers. This provision was proposed by both the House and Senate.

The conference agreement includes a provision (Section 131) prohibiting the use of funds in this Act to implement or enforce any provision of the Final Rule issued on April 16, 2003 as it applies to operators of utility service vehicles and as it applies to motion picture and television production drivers working at a site within 100 air mile radius of the reporting location.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement provides $150,545,000 from the highway trust fund for highway and traffic safety activities, instead of $134,178,000 as proposed by the House and $148,102,000 as proposed by the Senate.

The agreement includes a provision carried since fiscal year 1996 that prohibits NHTSA from obligating or expending funds to plan, finalize, or implement any rulemakings that would add requirements pertaining to tire grading standards that are not related to safety performance. This provision was contained in both the House and Senate bills.

The following table summarizes the conference agreement for operations and research by budget activity:

Salaries and benefits	$69,050,000
Travel	1,324,000
Operating expenses	22,836,000
Contract programs:	
Safety performance (rulemaking)	10,773,000
Safety assurance (enforcement)	17,028,000
Highway safety programs	49,272,000
Research and analysis	67,903,000
General administration	665,000
Grant administration reimbursements	– 16,306,000
Total	222,545,000

OPERATING EXPENSES

Workforce planning and development.—The conference agreement provides no funding for workforce planning and development, as proposed by both the House and Senate.

Training and technical assistance to the states.—The conferees encourage NHTSA to conduct a comprehensive review of the agency's training programs, including an evaluation of other models and different media for improving the professional capabilities of State

grantees, as proposed by the Senate. In addition, the conferees direct NHTSA to develop and implement two new State training courses, as proposed by the Senate, and $200,000 is provided for this purpose. One training course should be designed to strengthen the ability of State highway safety offices to analyze data and identify State and local behavioral highway safety programs. The second course should provide hands-on experience for State highway safety offices on how to conduct evaluations or reviews of program performance.

Regulatory activities.—The conferees direct NHTSA to update their self-imposed regulatory activities plan by December 1, 2003, as proposed by the House. NHTSA should include public comments that have been received, as well as new data and research results. This plan should be submitted through correspondence to the House and Senate Committees on Appropriations and posted on NHTSA's website.

HIGHWAY SAFETY PROGRAMS

Budget justification.—Within the fiscal year 2005 budget request, NHTSA is directed to include information on expenditures on impaired driving, motorcycle, and national occupant protection programs from fiscal year 2003 and estimated plans for fiscal year 2004, as proposed by the House. This information should also describe which activities are based on proven research and implementation strategies.

Impaired driving.—The conferees direct NHTSA to submit a report to the House and Senate Committees on Appropriations, no later than 90 days after the enactment of this Act, detailing strategies and activities that will be utilized in fiscal year 2004 with regard to targeting specific populations in impaired driving efforts, as proposed by the Senate.

In addition, the conferees direct NHTSA to explore whether there is a more fitting theme for the impaired driving program than "You Drink and Drive, You Lose," and to report findings and recommendations to the House and Senate Appropriations Committees in a letter by January 30, 2004, as proposed by the Senate.

Occupant protection.—Within the amount provided for occupant protection programs, the conference agreement provides $3,000,000 for outreach initiatives to increase seat belt use, as proposed by the Senate.

Within the amount provided for national impaired driving programs, the conference agreement provides $4,500,000 for impaired driving activities, as proposed by the Senate:

Judicial/prosecutorial initiative	$1,500,000
Repeat offender tracking model	2,000,000
Target population outreach	1,000,000

The conferees direct NHTSA to refrain from obligating funds provided in fiscal year 2003 (Public Law 108–7) for judicial and prosecutorial awareness until the required report is submitted to the House and Senate Committees on Appropriations, as proposed by the Senate.

Traffic law enforcement.—The conferees strongly support NHTSA's law enforcement liaison (LEL) program, believing that high-visibility enforcement of highway traffic safety programs is in-

tegral to improving the safety on the nation's roads. The LEL function is largely responsible for the implementation of specific enforcement programs and mobilizations relating to the highly successful Click It or Ticket program as well as the You Drink and Drive, You Lose initiative. Both of these programs must have an enforcement component to ensure their success, and the LELs interact with the law enforcement community to promote the enforcement components of these programs. In fiscal year 2003, NHTSA spent approximately $561,000 to fund LEL programs in eight of the ten regions. The conferees encourage NHTSA to increase this support in fiscal year 2004 and to strive to expand the presence of this program to all ten regions.

Emergency medical services.—Within the amount provided for emergency medical services, the conference agreement provides $1,000,000 for training EMS personnel in delivering pre-hospital care to patients with traumatic brain injuries, as proposed by the Senate. An additional $1,000,000 is also provided for research at the USA Center for the Study of Rural Vehicular Trauma, as proposed by the Senate.

Records and licensing.—Within the amount provided for records and licensing, the conference agreement provides $1,000,000 for a digital watermarking technology pilot program to easily determine the authenticity of State-issued IDs, as proposed by the Senate, and $1,000,000 for the interstate digital image exchange project and online verification of birth records program.

Highway safety research.—Within the amount provided for highway safety research, the conference agreement provides $750,000, for transportation safety research at Florida Agricultural and Mechanical University. The objective of FAMU's research will be to reduce the severity of traffic injuries among the youth and adults between the ages of 0–34 and will focus on aggressive driving, road rage, speed control, occupant protection and alcohol impaired driving countermeasures. The conferees encourage NHTSA to work with FAMU to identify a suitable research project that will focus on an area that will advance highway safety.

Share the road safely.—The conference agreement provides $500,000 for the share the road safely program, to be administered by NHTSA, as proposed by the Senate. NHTSA is encouraged to work with FMCSA and State highway safety representatives to determine the best avenues for educating both the motoring public and commercial motor vehicle drivers, including incorporating such information in driver education courses.

RESEARCH AND ANALYSIS

Crash causation study.—The conference agreement provides $7,000,000 for the crash causation study, as proposed by the Senate.

Motorcycle injury prevention.—There was a continuous decline in motorcycle crash fatalities from the mid-1980's through 1997. Since 1997 however, motorcycle fatalities have increased annually. The conferees urge NHTSA to focus on strategies to reduce the alarming numbers of motorcyclists killed and injured in alcohol-related crashes each year.

Within the amount provided for crashworthiness research, the conference agreement provides $40,000 for the New Hampshire Department of Safety to conduct a study to evaluate the speed and safety threshold for preventing and analyzing motorcycle injuries, as proposed by the House. The New Hampshire Department of Safety is encouraged to work with the Honda Inova Fairfax Hospital CIREN Center in Fairfax, Virginia, which specializes in analyzing motorcycle injuries.

Crashworthiness research.—Within the amount provided for crashworthiness research, the conference agreement provides $2,000,000 for brain and spinal cord injury research at the Southern Consortium for Injury Biomechanics, $1,000,000 for a joint research initiative between Vermont's College of Medicine (UVM), Texas A&M University and Fletcher Allen Health Care, $300,000 for the University of Massachusetts, Amherst Risk Prone Driving research, $300,000 for South Carolina DOT research and development for ball bearing packages with intelligent safety aids for vehicles, and $1,500,000 for the George Washington University National Crash Analysis Center for advanced crashworthiness research.

National tire efficiency.—Within the amount provided for research and analysis, the conference agreement provides $500,000 for the Secretary of Transportation, through the National Academy of Sciences, to develop and perform a national tire fuel efficiency study and literature review to consider the relationship that low rolling resistance replacement tires designed for use on passenger cars and light trucks have on fuel consumption and tire wear life. The study shall address the potential of securing technically feasible and cost-effective fuel savings from low rolling resistance replacement tires that do not adversely affect tire safety, including the impacts on performance and durability or adversely impact tire tread life and scrap tire disposal, and that does fully consider the average American "drive cycle". The study shall further address the cost to the consumer including the additional cost of replacement tires and any potential fuel savings. The report shall be submitted to the House and Senate Committees on Appropriations, the House Energy and Commerce Committee, and the Senate Commerce, Science, and Transportation Committee not later than January 1, 2006.

SAFETY PERFORMANCE

Fuel economy standards.—The conference agreement provides $1,000,000 for the fuel economy standards program and directs NHTSA to reevaluate the agency's goals with regard to fuel economy and produce an updated performance structure, as proposed by the House.

GENERAL ADMINISTRATION

Harmonization of vehicle safety standards.—The conference agreement provides $100,000 for the harmonization of vehicle safety standards, due to budget constraints.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement provides $72,000,000 from the highway trust fund to carry out provisions of 23 U.S.C. 403, as proposed by both the House and the Senate.

NATIONAL DRIVER REGISTER

(HIGHWAY TRUST FUND)

The conference agreement provides $3,600,000 for the National Driver Register, as proposed by both the House and the Senate.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement limits obligations for highway traffic safety grants to $225,000,000, as proposed by both the House and the Senate. The bill includes separate obligation limitations with the following funding allocations:

State and community grants	$165,000,000
Occupant protection incentive grants	20,000,000
Alcohol incentive grants	40,000,000

State highway safety program administration.—The GAO recently released a report regarding the oversight of State Highway Safety Programs (GAO–03–474). This report included the recommendation that NHTSA should provide more guidance to regional offices regarding when it is appropriate to use management reviews and improvement plans to assist states with their highway safety programs. The Senate had reiterated this recommendation in the fiscal year 2004 report and directed NHTSA to undertake steps necessary to implement this guidance. However, the House had included language in the fiscal year 2004 report directing NHTSA to begin to approve each state's highway safety plan, if they received Section 402 funding, as the agency did prior to 1998.

Therefore, the conferees direct NHTSA to examine the agency's policies with regard to the state grant programs, and submit a report to the House and Senate Committees on Appropriations, which should include current agency policies for providing guidance to states on how best to craft respective highway safety plans and an analysis of oversight review responsibilities NHTSA currently has with regard to these plans, as proposed by the House. In addition, the report should include the steps that NHTSA would undertake if, in reviewing a state's plan, the agency had a conflict with the way in which states planned to obligate Federal grant funds. The report should include a detailed spectrum of annual examples, since fiscal year 2000, for which States used Section 402 funds, in-

cluding items that NHTSA considers exemplary and items NHTSA may consider frivolous.

NHTSA is also directed to develop a clear policy on management review of state highway safety plans, including when a state improvement plan should be required, as proposed by the Senate. This should be included in the report.

Funding of $50,000 in operating expenses has been provided to undertake this study, and a copy must be provided to the House and Senate Committees on Appropriations by February 20, 2004.

Highway public safety mobilizations.—The conferees are concerned that the current timing of the national seat belt and impaired driving mobilizations in May and July does not allow ample time for either NHTSA or State and local law enforcement agencies to adequately plan for these intensive efforts. The conferees believe it is important that NHTSA and the States have adequate time to properly plan and prepare for each of these mobilizations in order to have the maximum impact on saving lives and preventing injuries. To that end, the conferees direct NHTSA to work with State and local authorities and the safety community to establish a comprehensive plan and date certain for future national impaired driving mobilizations. Much like the nation has embraced May as the "Click It or Ticket" month, the conferees expect that this coordinated effort will allow NHTSA to establish an annual date for carrying out an effective impaired driving mobilization to be accompanied by national paid advertising. The conferees direct NHTSA to report to the House and Senate Committees on Appropriations 90 days after the date of enactment of this Act on the agency's implementation plans and to keep the Committees informed throughout the fiscal year as to the progress of these efforts.

The conferees are also aware that NHTSA is currently evaluating the effectiveness of a safety mobilization effort in Tennessee that combines both the seat belt and impaired driving messages. The conferees are interested in the results of this combined effort to determine whether a similar effort should be conducted at the national level as part of the 2004 mobilization schedule. NHTSA is directed to report to the House and Senate Committees on Appropriations by February 16, 2004 with the findings of the Tennessee effort as well as any other State mobilizations that may combine seat belt and impaired driving messages.

GENERAL PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

The conference agreement includes a provision (Section 140) allowing states to use funds provided under section 402 of title 23, U.S.C., to produce and place highway safety public service messages. The provision provides that any state that uses funds for such purposes must submit a report to the Secretary, who in turn is directed to submit them to the House and Senate Committees on Appropriations. The provision allocates $10,000,000 for national paid media to support national safety belt mobilizations under Section 157 and $20,000,000 under Section 163 to include: $2,750,000 to support State impaired driving mobilization enforcement efforts, $14,000,000 for paid media to support national law enforcement mobilizations on impaired driving, and $250,000 for continued eval-

uation of alcohol-impaired driving messages. In addition, $3,000,000 from the Section 163 program should be dedicated to an impaired driving demonstration program.

The conference agreement includes a provision (Section 141) prohibiting NHTSA from transferring funds to the Federal Motor Carrier Safety Administration for the share the road safely program.

The conference agreement includes a provision (Section 142) authorizing the Secretary, for fiscal year 2004, to use funds necessary to carry out section 157 of title 23, United States Code.

The conference agreement includes a provision (Section 143) authorizing the Secretary, for fiscal year 2004, to use funds necessary to carry out section 163 of title 23, United States Code.

The conference agreement deleted a provision in the House bill regarding truck trailer manufacturing regulations.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

The conference agreement provides $130,825,000 for safety and operations as proposed by the Senate instead of $130,922,000 as proposed by the House. Within this total, the conferees have funded 25 new full-time equivalents. The conference agreement includes language that permits $11,712,000 of the total funding to remain available until expended as proposed by both the House and the Senate.

Workforce planning.—Consistent with the Senate report, the conference agreement deletes $350,000 for workforce planning.

Personnel.—Consistent with the House report, the conference agreement deletes $78,000 for one full time equivalent for Title VI enforcement. Instead, the conference agreement provides $78,000 for a financial analyst to support the new oversight responsibilities placed on the Department. This analyst will help manage activities designed to track Amtrak's financial performance, to support the Secretary's representatives in dealing with the greater number of issues of substance coming before the board, and to monitor the financial aspects of the grants, including the capital, operating, and North East Corridor grants.

Grade crossing safety action plan update.—As directed by the Senate, the Secretary of Transportation shall submit a highway-railway grade crossing safety action plan update, coordinated among FRA, FHWA, FMCSA, NHTSA and the ITS Joint Program Office, with the fiscal year 2005 budget justification.

RAILROAD RESEARCH AND DEVELOPMENT

The conference agreement provides $34,025,000 for railroad research and development instead of $28,225,000 as proposed by the House and $34,225,000 as proposed by the Senate.

Nationwide Differential Global Positioning System (NDGPS).—The conference agreement provides $5,800,000 for NDGPS. The House did not fund this project and the Senate provided $6,000,000.

Marshall University/University of Nebraska.—The conference agreement includes $2,000,000 to support Marshall University and the University of Nebraska to conduct safety studies in rail equipment, human factors, track, and rail safety related issues.

West Virginia University (WVU).—The conference agreement provides a total of $250,000 for structural integrity research utilizing glass fiber reinforced polymers on railroad ties at WVU's Constructed Facilities Center.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The conference agreement includes a provision, proposed by both the House and the Senate, specifying that no new direct loans or loan guarantee commitments shall be made using federal funds for the payment of any credit premium amounts during fiscal year 2004. No federal appropriation is required since a non-federal infrastructure partner may contribute the subsidy amount required by the Credit Reform Act of 1990 in the form of a credit risk premium. Once received, statutorily established investigation charges are immediately available for appraisals and necessary determinations and findings.

The conference agreement includes a provision, proposed by the Senate, mandating that no payment of principal or interest shall be collected during fiscal year 2004 for the direct loan made to the National Railroad Passenger Corporation.

NEXT GENERATION HIGH-SPEED RAIL

The conference agreement provides $37,400,000 for the next generation high-speed rail program instead of $28,250,000 as proposed by the House and $29,350,000 as proposed by the Senate. The following table summarizes the conference agreement by budgetary activity:

Program	*Amount*
Train control systems	$10,000,000
North American joint PTC project	(9,000,000)
Train control—TTC	(1,000,000)
Non-electric locomotives	9,900,000
Advanced locomotive propulsion system	(3,000,000)
Prototype non-electric locomotive	(1,900,000)
Diesel multiple units compliance and demonstration	(5,000,000)
Grade crossing and innovative technologies	9,000,000
Mitigating hazards	(2,000,000)
Low-cost technologies	(1,000,000)
North Carolina pedestrian crossing safety pilot: Clayton grade separation	(800,000)
Springfield, Missouri grade reconfiguration study	(800,000)
Anchorage C Street corridor grade Crossing	(1,000,000)
Tupelo Rail study	(1,500,000)
New Orleans Union Passenger Terminal	(1,000,000)
KBS railroad Hazard elimination, Kankakee, IL	(400,000)
Ohio statewide highway-rail crossing barrier gates	(500,000)
Track and structures	1,000,000
Corridor planning	2,500,000
Gulf Coast corridor	(1,500,000)
Southeast corridor	(750,000)
Midwest regional rail planning and engineering study	(250,000)
Maglev	5,000,000
Washington to Baltimore maglev deployment	(1,000,000)
California-Nevada Interstate maglev project	(1,000,000)

Program	*Amount*
Pittsburgh-Greensburgh, Pennsylvania maglev deployment project	(2,000,000)
Southern California maglev	(1,000,000)
Total	37,400,000

Train control systems.—The conferees note that several new and ongoing pilot projects are important to demonstrating the operational and safety benefits of wider deployment of train control system technologies on freight railroads. The conferees encourage the FRA to utilize a portion of its appropriations to further the development and testing of safety overlay train control technologies that work in conjunction with existing methods of operation and signal and control systems to protect against the consequences of human and technology failures.

Diesel multiple units.—The conference agreement provides $5,000,000 to validate the compliance of diesel multiple units with existing passenger car safety standards and to make a grant to up to two public bodies for the purpose of initiating a demonstration in daily revenue service of a compliant DMU during calendar years 2003 and 2004. Federal funding shall only be made available if funds are matched on a dollar-for-dollar basis from non-federal sources and shall only be used for activities related to establishing the compliance of the DMU design with passenger safety standards and for the acquisition of DMUs (through a conventional competitive procurement process) and service facilities necessary for revenue service demonstration. All other expenses, including the cost of passenger facilities and any net operating expenses are not eligible for funding under this appropriation. In making the grant award decision, FRA shall consider among its criteria: the extent that the award would develop or facilitate the domestic rail passenger car manufacturing industry and the extent that it is compatible with DMU technology acquired pursuant to the fiscal year 2003 appropriation. Nothing shall preclude FRA from making funds available to the recipient of the fiscal year 2003 award.

California corridor.—Funds made available for high-speed rail in California should supplement, not replace, state funding for this same program.

Northern New England high speed rail corridor.—The conference agreement directs the Secretary to include the train routes from Boston, Massachusetts via Worcester and Springfield, Massachusetts to Albany, New York and from Springfield, Massachusetts via Hartford, Connecticut to New Haven, Connecticut as part of the existing Northern New England High Speed Rail Corridor.

Magnetic levitation.—In order to assist in the evaluation of the potential of magnetic levitation to achieve traffic congestion relief and determine its appropriate role in our nation's transportation system, the conferees direct FRA to provide the House and Senate Committees on Appropriations a report comparing the cost and benefits of magnetic levitation to other modes of travel. This report should be undertaken while moving forward on submitted projects.

Rail-highway crossing hazard eliminations.—A total of $5,250,000 is made available for the elimination of rail-highway crossing hazards. A limited number of rail corridors are eligible for

these funds. Of these set-aside funds, the following allocations were made:

Assembly Street, Whaley Street and Rosewood Drive, Columbia, South Carolina	1,050,000
Tulsa, OK sealed corridor quiet zone	1,575,000
Hamilton Boulevard over CSX rail line near US 90, Mobile, Alabama	1,250,000
Washington State high speed rail corridor grade crossing project	1,000,000
Wisconsin Railway-Highway crossing hazard elimination project	375,000
Total	5,250,000

ALASKA RAILROAD REHABILITATION

The conference agreement provides $25,000,000 for the Alaska Railroad, as proposed by the Senate. The House bill contained no similar appropriation.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

(AMTRAK)

The conference agreement provides $1,225,000,000 for the Secretary of Transportation to make quarterly grants to Amtrak, instead of $900,000,000 as proposed by the House and $1,346,000,000 as proposed by the Senate. Of these funds, $760,000,000 is provided for operating subsidy grants and $465,000,000 is provided for capital grants. Flexibility of the Secretary to allocate funds to either operating or capital subsidies is not included, as proposed by the Senate.

DOT oversight.—The conference agreement directs the Secretary to approve funding for all train routes for operating losses and capital expenditures, including advance purchase orders, after receiving and approving a grant request accompanied by detailed financial information, revenue projections, and capital expenditure projection justification, as proposed by the Senate.

The conferees direct the Secretary to ensure that Amtrak continues to meet all debt principal and interest payments in fiscal year 2004, as proposed by the House and Senate. The Secretary is also directed to ensure that any funds provided to Amtrak be spent in a prudent manner, on projects where positive results can be seen, that maximize operational efficiencies, that promote those lines that have the highest ridership and that have cost sharing agreements in place. Amtrak shall not be permitted to begin any new projects unless the project can be fully funded with the fiscal year 2004 appropriation and Amtrak generated revenues, unless such projects are critical for safety or infrastructure repairs, as proposed by the House.

The conference agreement directs the Secretary to vouch for the accuracy of financial information Amtrak provides to Congress, in the form of a signed letter to the House and Senate Committees on Appropriations, that accompanies the transmittal of the quarterly grant documents to the Committees and continues to meet the specified criteria, as proposed by the House. The conference agreement also prohibits the Secretary from obligating or expending any funds until Amtrak agrees to continue abiding by certain provisions agreed to under the direct loan agreement signed on June 28, 2002.

Continuation of commuter rail services.—The conference agreement includes a provision (Section 150) authorizing the Surface Transportation Board to continue commuter rail service if Amtrak should cease operations, as proposed by the House. Within the funds provided, the conference agreement directs the Secretary to reserve $60,000,000 to fund costs incurred if directed service orders are issued by the Surface Transportation Board. At the Secretary's discretion and based on the financial stability of Amtrak, the Secretary may make the reserved funds available to Amtrak through appropriate grants during the fourth quarter, to the extent that no directed service orders have been issued or are expected to be issued.

In addition, the Federal Railroad Administration, in coordination with the Surface Transportation Board, shall submit a report to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science and Transportation regarding contingency plans the Department has in place in the event that Amtrak should cease operations and an emergency commuter service order must be carried out. This report is due no later than 90 days from enactment of this Act.

Annual business plan.—The conference agreement includes language, modified from the House and Senate bills, directing Amtrak to submit to the Secretary of Transportation, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science and Transportation a comprehensive business plan approved by the Board of Directors for operating subsidies and capital projects, including advance purchase orders, to be funded in fiscal year 2004. The plan must include targets for ridership, revenues, and capital and operating expenses, as applicable, and a separate accounting of such targets for the Northeast Corridor; commuter service; long-distance Amtrak service; state-supported service; each intercity train route; including Autotrain; and commercial activities including contract operations and mail and express. For capital expenditures, the plan must include a description of the work to be funded, with cost estimates and a timetable for completion. The plan must be submitted within 60 days of enactment of this Act, in both paper and electronic formats, and must be posted on Amtrak's website.

The conference agreement directs that no funding may be used for projects or expenses not approved by the Secretary or included on Amtrak's business plan, as proposed by the House and Senate. Any variations to the base operating and capital plans, including advance purchase orders, must be submitted to the House and Senate Committees on Appropriations, according to the Department's reprogramming guidelines.

The conference agreement continues bill language requiring Amtrak to continue to submit monthly supplemental reports regarding the business plan, which should describe work completed, any changes to the business plan, and justification for such changes, as proposed by the House and Senate. These reports should be submitted in an electronic format and posted on Amtrak's website. The reports shall continue to be submitted to the

Secretary and the House and Senate Committees on Appropriations and must be submitted every month, within 30 days following the last business day of the previous month.

State-assisted intercity rail service.—The conference agreement also includes a provision (Section 151) that directs the Secretary to develop and implement a fair competitive bid procedure by January 1, 2004, to assist states in introducing carefully managed competition to demonstrate whether this could provide higher quality rail service at reasonable prices, as proposed by the House. The Secretary must administer the process, monitor its progress, and make monthly reports to the House and Senate Committees on Appropriations. The Secretary may reprogram up to $2,500,000 from Amtrak operating grant funds to assist in costs of implementing this process. From this amount, the Secretary may make grants available to the states for any purpose consistent with achieving the goals of the process. The Secretary must also evaluate the fair competitive bid procedures and report to the House and Senate Appropriations Committees, the House Transportation and Infrastructure Committee and the Senate Committee on Commerce, Science and Transportation by July 1, 2004. In addition, within 30 days of enactment of this Act, the Secretary shall report to these same Committees on options for insurance pooling to provide states and operators with the lowest possible insurance costs.

Military and Veterans Discount Program.—The conferees are dismayed to learn that Amtrak management is giving consideration to terminating its discount program for the nation's veterans, members of the National Guard and Reserve, and active duty military members. At a time when so many military members are risking their lives on a daily basis, the conferees are greatly disappointed that Amtrak would consider terminating this discount program, especially since travelers that utilize the discount must travel under specified restrictions during off-peak travel times. The conferees expect Amtrak to continue this discount program and believe that the amount of funding provided in this Act for Amtrak is sufficient to avoid any necessity to terminate this well-deserved benefit for our nation's veterans and military members.

GENERAL PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

The conference agreement includes a provision (Section 150) authorizing the Surface Transportation Board to continue commuter rail service if Amtrak should cease operations.

The conference agreement includes a provision (Section 151) requiring the Secretary of Transportation, working with affected states, to develop and implement a fair competitive bid procedure to assist states in introducing carefully managed competition to demonstrate whether competition may provide higher quality rail service at reasonable prices.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

The conference agreement provides $75,500,000 for administrative expenses of the Federal Transit Administration, instead of the

$72,500,000 as proposed by the House and $73,000,000 as proposed by the Senate. Within this total, the conference agreement appropriates $15,100,000 from the general fund. The general fund appropriation shall be available until expended.

The conference agreement specifies the appropriations for each of the FTA offices in bill language, as proposed by both the House and Senate. In addition, the Administrator is authorized to transfer funding between offices, but transfers totaling more than three percent must be approved by both the House and Senate Committees on Appropriations.

The conference agreement includes a provision, contained in both bills, that would reimburse the Department of Transportation's Inspector General $2,000,000 for costs associated with audits and investigations of transit-related issues. The conference agreement also includes a provision that specifies the amount of funding available for the National transit database to be not less than $2,200,000 for fiscal year 2004.

Administrative expenses.—Salaries and benefits have been provided for all current on-board FTE at the Federal Transit Administration. The request for an additional 10 FTE has been denied, consistent with the Senate proposal. FTA has grown unencumbered for some time, increasing by 18% in ten years, and the conferees are troubled that FTA continues to seek new employees every year in double-digit quantities. Many items within the central account have been kept at levels consistent with fiscal year 2003, as increases of over 50% were requested in some instances, such as transportation and training.

In addition, this year FTA has submitted letters to the Committees with important attachments missing; has approved a reprogramming—and advised a Member of Congress of such action—without requesting such change from the Committees on Appropriations; and has been reluctant to provide information in a responsive manner. The conferees will not tolerate the continuation of these kinds of errors and demand that FTA develop better procedures for improved internal coordination.

Budget justifications.—The conferees direct FTA to submit its fiscal year 2005 congressional budget justification for administrative expenses by office, as proposed by the House and Senate, with material detailing salaries and expenses, staffing increases, and programmatic initiatives of each office.

Grants management.—The conferees are concerned with the increasing number of projects that are not obligated in a three-year period that consequently become available for reallocation. At the same time, the House and Senate Committees on Appropriations have heard a litany of complaints from project sponsors of the lack of cooperation and assistance from FTA during the grant application process and the amendment process for full funding grant agreements. While the conferees expect aggressive oversight from the agency, they will not condone intimidation or dilatory bureaucratic obstacles that needlessly delay the obligations of discretionary projects. FTA should set new goals for the timing of grant obligations for each discretionary category and strive to meet those goals.

In the event that FTA receives a request from a Member of Congress regarding a reprogramming of funding for transit projects in their district or state, FTA shall direct the Member of Congress to the House and Senate Committees on Appropriations to establish a resolution. The Committees shall review the matter and notify FTA of the resolution.

Project and financial management oversight activities.—The conferees direct FTA to submit to the House and Senate Committees on Appropriations quarterly FMO and PMOC reports for each project with a full funding grant agreement.

Full funding grant agreements (FFGAs).—TEA–21, as amended, requires that the FTA notify the House and Senate Committees on Appropriations as well as the House Committee on Transportation and Infrastructure and the Senate Committee on Banking sixty days before executing a full funding grant agreement. In its notification to the House and Senate Committees on Appropriations, the conferees direct the FTA to include therein the following: (1) a copy of the proposed full funding grant agreement; (2) the total and annual federal appropriations required for that project; (3) yearly and total federal appropriations that can be reasonably planned or anticipated for future FFGAs for each fiscal year through 2004; (4) a detailed analysis of annual commitments for current and anticipated FFGAs against the program authorization; (5) an evaluation of whether the alternatives analysis made by the applicant fully assessed all viable alternatives; and (6) a financial analysis of the project's cost and sponsor's ability to finance the project, which shall be conducted by an independent examiner and which shall include an assessment of the capital cost estimate and the finance plan; the source and security of all public- and private-sector financial instruments; the project's operating plan, which enumerates the project's future revenue and ridership forecasts; and a listing of all planned contingencies and possible risks associated with the project.

The conferees also direct FTA to inform the House and Senate Committees on Appropriations thirty days before approving scope changes in any full funding grant agreement, as proposed by the House. Correspondence relating to scope changes shall include any budget revisions or program changes that materially alter the project as originally stipulated in the full funding grant agreement, and shall include any proposed change in rail car procurements.

The conferees have not included language, proposed by the House, directing FTA to report to the House and Senate Committees on Appropriations before any project in the new starts process is given approval by FTA to advance to preliminary engineering or final design. The conferees would encourage FTA to ensure that the Committees are aware of project development and progression, but do not require official correspondence.

New starts report.—The conferees were satisfied with the timely submission of FTA's fiscal year 2004 annual report on new starts projects. TEA–21 required this report to be submitted in conjunction with the budget, yet year after year, this report was submitted months late. Without a timely submission of this information, the conferees cannot make well-informed decisions about new starts projects. To ensure that this report continues to be submitted on

time, the conference agreement includes bill language that requires FTA to submit its annual new starts report with the initial submission of the President's budget request. An untimely submission of this crucial report will result in penalties to FTA's administrative expenses account.

Charter service activities.—The conferees direct FTA to revisit Part 604 of Title 49 of the United States Code to ensure that the statute continues to meet its purpose of ensuring that federally funded equipment and facilities should not be used to compete unfairly with private charter operators, as proposed by the House. A report shall be submitted to the House and Senate Committees on Appropriations no later then December 31, 2003, on FTA's efforts.

Buy America enforcement.—The conferees direct the Office of Inspector General to review FTA's most recent interpretations of manufactured components and subcomponents as well as the use of temporary exemptions regarding domestic content under the Buy America statute, as proposed by the Senate. A report shall be submitted to the House and Senate Committees on Appropriations no later than March 1, 2004.

Transit agency advertising.—The conferees are concerned that transit agencies accepting Federal grant funds may be providing their advertising space to organizations that encourage the public to break the law. For example, the conferees note with displeasure that public service advertising space in Washington, DC's Metropolitan Area Transit Authority rail stations and buses has been used to advocate changing the nation's laws regarding marijuana usage. WMATA has provided $46,250 worth of space to these types of ads; therefore, as a warning to other transit agencies, the conferees have deleted funding totaling $92,500 from projects and activities for WMATA in this bill.

While the conferees applaud the efforts of many transit agencies to prevent ads that promote marijuana use, the conferees remain concerned that the opportunity exists nationwide for transit properties to run similar advertising. Therefore, the conference agreement includes a provision (Section 177) that prohibits Federal transit grantees from obligating or expending funds that would otherwise be available in the Act, if the grantee is involved directly or indirectly with any activity, including displaying or permitting to be displayed advertisements on its land, equipment, or in its facilities, that promote the legalization or medical use of substances listed in schedule I of section 202 of the Controlled Substance Act.

FORMULA GRANTS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides a total program level of $3,839,000,000 for formula grants of the Federal Transit Administration, as proposed by both the House and Senate. Within this total, the conference agreement appropriates $767,800,000 from the general fund. The general fund appropriation shall be available until expended. The FTA oversight takedown shall not exceed the amount authorized in current law.

The conference agreement provides that funding made available under the clean fuels formula grant program under this head-

ing shall be transferred to and merged with funding provided for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities under "Federal Transit Administration, capital investment grants".

UNIVERSITY TRANSPORTATION RESEARCH

The conference agreement provides a total of $6,000,000 for the university transportation research program as proposed by both the House and the Senate. Of this amount, $1,200,000 is from the general fund and shall be available until expended.

TRANSIT PLANNING AND RESEARCH

The conference agreement provides a total of $126,000,000 for transit planning and research. Within the total, the conference agreement appropriates $25,200,000 from the general fund. The general fund appropriation shall be available until expended.

Within the funds appropriated for transit planning and research, $5,250,000 is provided for rural transportation assistance; $4,000,000 is provided for the National Transit Institute; $8,250,000 is provided for the transit cooperative research program; $60,385,600 is provided for metropolitan planning; $12,614,400 is provided for state planning; and $35,500,000 is provided for the national planning and research program.

National planning and research.—Within the funding provided for national planning and research, the Federal Transit Administration shall make available the following amounts for the programs and activities listed below:

Project ACTION (TEA–21)	$3,000,000
Advanced Transportation Technology Institute, Tennessee	1,000,000
CALSTART/Weststart Bus Rapid Transit; Clean Mobility and Transit Enhancements	2,125,000
Center for Composite Manufacturing, Alabama	1,000,000
Center for Intermodal Transportation, Florida A&M University	750,000
Community Transportation Association of America's National Joblinks Program	1,000,000
Fischer-Tropsch clean diesel technology demonstration, Oklahoma	1,000,000
Hennepin County Community Works, Minnesota	1,200,000
Interior Air Quality Industrial Engine Control Demonstration, Bristol, Virginia	850,000
JSU Bus Technology Research Center	1,000,000
National Bio-Terrorism Civilian Medical Response Center, Pennsylvania	1,000,000
NDSU Transit Center for small urban areas, North Dakota	400,000
North Carolina State University Center for Transportation and the Environment	100,000
NYU-Wagner Rudin Center Americas Mega City Project, New York	75,000
Oklahoma Transportation Center	1,500,000
State University System of Florida Intermodal Transportation Safety Initiative	7,000,000
Transit Technology Center Ladder Partnership Training Program	500,000
Vashon Island Passenger-Only Ferry Initiative, Washington	1,000,000
WVU exhaust emissions testing, West Virginia	1,400,000

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides $5,847,200,000 in liquidating cash for the trust fund share of transit expenses.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides a total program level of $3,137,500,000 to remain available until expended for capital investment grants. Within the total, the conference agreement appropriates $627,500,000 from the general fund.

Within the total program level, $1,206,506,000 is provided for fixed guideway modernization; $607,200,000 is provided for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities; and $1,323,794,000 is provided for new fixed guideway systems.

Three year availability of section 5309 discretionary funds.—The conferees direct FTA to reprogram funds from recoveries and previous appropriations that remain available after three years and are available for reallocation to only those new starts and bus and bus facilities projects that are identified. The FTA shall notify the House and Senate Committees on Appropriations 15 days prior to any such proposed reallocation. Therefore, the conferees direct FTA to reallocate funds provided in the fiscal year 2001 Department of Transportation and Related Agencies Appropriations Act or previous Acts for the following bus and bus facilities projects, which shall supplement funding for bus and bus facility projects listed in this report:

Woburn, buses and bus facilities, MA
Elizabeth Ferry Project, NJ
Greenport and Sag Harbor, ferries and vans, NY
Westchester and Duchess counties, vans, NY
Phoenixville, transit related improvements, PA

The conferees direct FTA to reallocate funds provided in the fiscal year 2001 Department of Transportation and Related Agencies Appropriations Act or previous Acts for the following new starts projects:

Boston-South Boston Piers Transitway Project
Massachusetts North Shore Corridor Project

FTA restrictions on funding for non-FFGA new start projects.—The conferees strongly support language proposed by the Senate that rejects an FTA reinterpretation of Sections 5309(e)(6), (7), and (8) of Title 49, U.S.C. Through this reinterpretation, FTA is withholding the release of appropriated funds for new starts projects that have received more than $25,000,000 in Federal funding prior to receiving a full funding grant agreement. The conference agreement includes a general provision that rejects the FTA analysis that once a project exceeds $25,000,000 it is subject to FTA review and evaluation and therefore FTA must approve it for advance-

ment, while withholding appropriated funds. Further, there is no limit of $25,000,000 on alternatives analysis, preliminary engineering, or final design, and a project seeking more than that amount for such activities does not need an early systems work agreement, as FTA has interpreted to be required under subsection (g)(1). The conferees direct FTA to expeditiously release previously appropriated funds for all new starts projects identified in this and prior appropriations Acts that remain unobligated and have not been reallocated by the Congress, upon request of the grantee and the satisfaction of statutory requirements.

Pooled procurement pilot project.—The conference agreement includes a general provision establishing a pooled procurement pilot program for bus procurements (Section 166), as proposed by the Senate. FTA shall disseminate the benefits of voluntary buyer collaboration to transit systems and review upcoming and current procurements to determine suitable candidates for selection as pilot projects. Additionally, the FTA is directed to evaluate the process employed and the results achieved by each pool and report the findings to the House and Senate Committees on Appropriations no later than 60 days after the award of a contract.

BUS AND BUS FACILITIES

Bus and bus facilities.—The conference agreement provides $607,200,000, together with $50,000,000 transferred from "Federal Transit Administration, formula grants" and $20,000,000 transferred from "Federal Transit Administration, job access and reverse commute grants" and merged with funding under this heading, for the replacement, rehabilitation and purchase of buses and related equipment and the construction of bus-related facilities. No funding is made available to carry out the clean fuels program in this Act. In addition, funds made available for bus and bus facilities are to be supplemented with funds from reallocated projects included in the fiscal year 2001 Appropriations Act.

Funds provided for buses and bus facilities are distributed as follows:

AC Transit Expansion Buses, California	$1,000,000
Access Enhancements to Sierra Madre Villa Gold Line Station, California	600,000
Adams County Transit Authority (ACTA) buses and bus facilities, Pennsylvania	20,000
Alabama A&M University Transit Loop, Alabama	1,500,000
Alabama Area Agencies on Aging Senior Van Replacement	1,000,000
Alabama State Docks Intermodal Facility	9,500,000
Alameda Point Areil Transit Project, California	500,000
Alaska Mobility Coalition Bus Replacement	500,000
Alexandria After School Bus program, Virginia	75,000
Allegan County Transportation Services, Michigan	1,000,000
Allentown Intermodal Facility, Pennsylvania	2,500,000
Alternative Fuel Replacement Buses for Sun Tran, Arizona	500,000
Ames Maintenance Facility improvement, Iowa	1,000,000
AMTRAN Buses and Transit System Improvements, Pennsylvania	200,000
Anaheim Resort Transit (ART), California	500,000
Anchorage Ship Creek Intermodal Facility, Alaska	2,000,000
Ann Arbor Fuel Cell Bus Project, Michigan	2,000,000
Ann Arbor Transit Authority Transit Center, Michigan	750,000
Antelope Valley Transit Authority Operations and Maintenance Facility, California	1,250,000
Arctic Winter Games buses and bus facilities, Alaska	1,500,000

Area Transit Authority buses and bus equipment, Pennsylvania	2,500,000
Arkansas Statewide buses and bus facilities	4,750,000
Asheville Transit System Fleet Replacement, North Carolina	300,000
Athens Clarke County Park Ride Project, Georgia	2,750,000
Audubon Area Community Services, Kentucky	100,000
Austin Capital Metro buses and bus facilities, Texas	3,000,000
Baldwin Park Downtown/Metrolink Parking Improvements, California	250,000
Baltimore Center Plaza, Maryland	600,000
Barry County Transit replacement maintenance equipment, Michigan	20,000
BARTA Fixed Route Bus and Paratransit Vehicle Replacement, Pennsylvania	2,600,000
BARTA Transit Facilities, Pennsylvania	650,000
Bay Area Metropolitan Transportation Authority New and Replacement Buses, Michigan	250,000
Bay Area Transportation Authority Downtown Transfer Center Construction and Bus Purchase, Grand Traverse County, Michigan	1,000,000
Beaver County Transit Authority replacement buses and equipment, Pennsylvania	250,000
Belding bus replacement and communication equipment, Michigan	40,000
Berkshire Regional Transit Authority (BRTA) Buses and Fare Boxes, Massachusetts	765,000
Berrien County Public Transportation, Michigan	80,000
Billings Downtown Bus Transfer Facility, Montana	1,500,000
Birmingham Downtown Intermodal Facility phase II, Alabama	3,500,000
Bloomington Transit, Bloomington, Indiana	720,000
Brattleboro Multimodal, Vermont	2,000,000
Brazos County Bus Replacement Program, Texas	200,000
Bridgeport Intermodal Transport Center, Connecticut	4,000,000
Brockton Intermodal Transportation Centre, Massachusetts	1,000,000
Burbank Empire Area Transit Center, California	750,000
Burlington Transit Facilities, Vermont	2,500,000
Bus Rapid Transit Project, Virginia Street, Reno, Nevada	1,000,000
Bus Replacement, Brockton Area Transit Authority, Massachusetts	2,000,000
Butler Multi-Modal Transit Center, Pennsylvania	1,000,000
Cadillac/Wexford Transit Authority buses, Michigan	75,000
Cadillac/Wexford Transit Authority Intermodal Facility, Michigan	600,000
Calexico Transit System, California	300,000
Cambria County Transit buses and facilities, Pennsylvania	900,000
Capital Area Transit Buses, Pennsylvania	1,600,000
Capital District Transportation Authority (CDTA), Rensselaer Intermodal Station, New York	250,000
Capital Metro Hybrid Electric Buses, Texas	500,000
CATA, Lansing, Michigan	1,000,000
Central New York Regional Transportation Authority	2,300,000
Central Ohio Transit Authority Facility	450,000
Central Oklahoma Transportation and Parking Authority	1,820,000
Centre Area Transit Authority, Advanced Public Transportation Systems Initiative, Pennsylvania	600,000
Cerone Operating Complex Improvements, California	500,000
Cerritos Circulator Buses, California	300,000
Chapel Hill Bus Maintenance Facility, North Carolina	1,000,000
Charlotte Area Transit System Transit Maintenance and Operations Center, North Carolina	5,000,000
Chatham Area Transit Authority buses and bus facilities, Georgia	6,000,000
Cherry Street Multi-Modal Facility, Terre Haute, Indiana	1,900,000
Cheyenne River Sioux Tribe public buses and bus facilities, South Dakota	2,250,000
Church Street Transportation Center, Williamsport, Lycoming County, Pennsylvania	250,000
Citrus County Enhancement Project for the Transportation Disadvantaged, Florida	125,000
City Bus, Williamsport Bureau of Transportation, Lycoming County, Pennsylvania	1,000,000
City of Canby Transit Center, Oregon	150,000
City of Columbia Transit Replacement, Missouri	100,000

City of Corvallis Bus Replacement, Oregon	250,000
City of Greenville Multimodal Transportation Center Improvements, South Carolina	200,000
City of Macon Alternative Fuel Vehicle Purchase, Georgia	300,000
City of Wichita Transit Authority System Upgrades, Kansas	250,000
CityLink van and technology replacement, Abiline, Texas	500,000
Clallam Transit Buses, Washington	250,000
Clare County Transit Corporation Replacement Buses, Michigan	100,000
Claremont Intermodal Transit Village Expansion Project, California	1,250,000
Clark County Transit, Bus Replacement Project, Washington	3,000,000
Clean Fleet Bus Purchase and Facilities, Virginia	1,000,000
Clinton Transit Bus Purchase, Michigan	40,000
Clinton Transit Office, Missouri	250,000
Coast Transit Authority, Mississippi	500,000
Coconino County buses and bus facilities, Arizona	1,400,000
Coffman-Cove Inner Island Ferry/Bus Terminal, Alaska	1,500,000
Collegian Busway Improvements, California	200,000
Colorado Transit Coalition buses and bus facilities, Colorado	14,000,000
Community Transit Bus and Van Replacement, Washington	1,000,000
Connecticut Statewide buses and bus facilities	3,000,000
Construction of new Intermodal Terminals in Downtown Reno and Sparks, Nevada	6,000,000
Coralville Intermodal Facility, Iowa	500,000
Corona Transit Center, California	700,000
Corpus Christi buses and bus facilities, Texas	2,000,000
County Connection L.L.C., Midland County, Michigan	75,000
Cranberry Isles Intermodal Transportation Facility, Maine	250,000
Cummings Research Park Commercial Center Intermodal Facility, Alabama	2,000,000
Curtis Ferry, Maine	750,000
Danville Hub-Gilcher Transit Facility/Parking Structure, Kentucky	1,750,000
Danville Trolley Buses, Virginia	175,000
Daviess County Parking Garage and Intra-County Transit Facility, Kentucky	2,000,000
Davis Intermodal Facility, California	200,000
Dekalb County BRT Improvements, Georgia	1,500,000
Delaware Statewide bus and bus facilities	1,000,000
Detroit Bus Replacement, Michigan	2,500,000
Detroit Downtown Transit Center, Michigan	7,000,000
Detroit Timed Transfer Center Phase II, Michigan	1,000,000
Downtown Transit Center, Nashville, Tennessee	2,000,000
Durham Multimodal Transportation Facility, North Carolina	1,500,000
East Haddam Mobility Improvement Project, Connecticut	3,000,000
East Side Transit Center, Cleveland, Ohio	1,000,000
Eastern Contra Costa County Park and Ride Lots, California	600,000
Ed Roberts Campus transit center, California	400,000
Edmonds Crossing Multimodal Transportation Terminal, Washington	2,000,000
El Garces Intermodal Station, Needles, California	1,900,000
El Paso Sun Metro Bus Replacement, Texas	1,000,000
Endless Mountain Transportation Authority, Bradford County, Pennsylvania	10,000
Erie Metropolitan Transit Authority Bus Acquisition, Pennsylvania	100,000
Escondido Bus Maintenance Facility, California	500,000
Eureka Intermodal Depot, California	250,000
Everett Transit, Bus Replacement, Washington	1,000,000
Fairfax County, Richmond Highway Transit Improvements, Virginia	700,000
Farmington buses and bus facilities, New Mexico	100,000
Fayette County Intermodal Transit Facility, Pennsylvania	400,000
Flagler Senior Services Transit Coaches, Florida	125,000
Flint buses and bus facilities, Michigan	2,500,000
Florida International University/University of Miami University Transportation Center, Florida	400,000
Foothill Transit Oriented Neighborhood Program, California	2,500,000
Fort Edward Intermodal Station Interior Restoration/Rehabilitation Project, New York	300,000

Fort Lauderdale Tri-County Transit Authority fare collection system, Florida	800,000
Fort Smith Transit Facility, Arkansas	750,000
Fort Wayne Citilink Bus Purchase, Indiana	400,000
Franklin Regional Transit Authority (FRTA) Bus, Massachusetts	150,000
Fresno FAX Buses, Equipment, and Facilities, California	1,200,000
Ft. Worth Transportation Authority Fleet Modernization and Bus Transfer Centers, Texas	1,500,000
Fulton County Transit Authority, Kentucky	150,000
Galveston Maintenance Facility Renovations, Texas	800,000
Georgia Statewide buses and bus facilities, Albany & Rome	1,000,000
Girdwood Transportation Center, Alaska	1,000,000
Golden Empire Transit Traffic Signal Priority, California	250,000
Grand Rapids Metropolitan Area multimodal surface transportation center, Michigan	1,550,000
Grant Transit Authority, Bus Facility, Washington	500,000
Grapevine Bus Purchase, Texas	160,000
Grays Harbor Transportation Authority Capital Improvement, Washington	75,000
Great Falls Transit Authority Bus Replacement and Facility Improvement, Montana	300,000
Greater Dayton Regional Transit Authority, Ohio	750,000
Greater New Haven Transit District Fuel Cell and Electric Bus Funding, Connecticut	1,500,000
Greater Ouachita Port and Intermodal Facility, Louisiana	1,250,000
GRTA buses and bus facilities, Georgia	5,000,000
Hamilton Clean Fuels Bus Facility, Georgia	1,000,000
Hampton Roads Transit Southside Bus Facility, Virginia	2,000,000
Harbor Transit Bus Replacement, Michigan	200,000
Harrisburg CorridorONE, Pennsylvania	2,000,000
Harrisburg Intermodal Airport Multi-Modal Transportation Facility, Pennsylvania	1,000,000
Harrison County multi-modal facilities and shuttle service, Mississippi	1,000,000
Harrison Intermodal Project, New Jersey	750,000
HART Bus Purchase, Florida	500,000
Hartford Downtown Circulator, Connecticut	1,375,000
Hattiesburg Intermodal Facility, Mississippi	3,000,000
Hawaii Statewide Rural Bus Program	4,000,000
Hazleton Intermodal Public Transit Center, Pennsylvania	1,750,000
Helena Transit Facility, Montana	500,000
Hemet Transit Center/Bus Facility, California	312,000
Henderson Area Rapid Transit Authority, Kentucky	15,000
High Point Project Terminals, North Carolina	800,000
Holland Macatawa Area Express (MAX), Michigan	600,000
Honolulu Bus and Paratransit Replacement Program, Hawaii	10,000,000
Honolulu Middle Street Intermodal Center, Hawaii	3,000,000
Howard Boulevard Intermodal Park & Ride, New Jersey	2,200,000
Hunt County Committee on Aging Transportation Facility, Texas	400,000
Hunterdon County Intermodel Stations and Park & Rides, New Jersey	400,000
Huntsville Airport Phase III Intermodal Facility, Alabama	3,500,000
Idaho Transit Coalition buses and bus facilities	4,000,000
Illinois Statewide buses and bus facilities	7,000,000
Indiana County Transit Authority/Bus Facility Expansion and Renovation, Pennsylvania	400,000
Indiana University Bloomington, Indiana	800,000
Indianapolis Downtown Transit Center, Indiana	3,500,000
Intelligent Transportation System for ITP The Rapid, Michigan	600,000
Intercity Transit Bus Expansion and Replacement, Washington	1,000,000
Intermodal Facility, JIA, Mississippi	2,000,000
Intermodal Transit Facility for ULM, Louisiana	1,000,000
Intermodal Transportation Hub Project, North Carolina	150,000
Interstate 15 Managed Lanes BRT Capital Purchase, California	1,000,000
Iowa Statewide buses and bus facilities	6,600,000
Isabella County Transportation Commission Vehicle Replacement, Michigan	250,000

Jacksonville Transportation Authority, Bus and Bus Facilities, Florida	1,000,000
Jacobi Transportation Facility, New York	800,000
Jamaica Intermodal Facilities, Queens, New York	400,000
Jasper Bus Replacement, Alabama	40,000
JATRAN vehicles for disabled and elderly, Mississippi	250,000
Jefferson City Transit System, Missouri	300,000
Jefferson Transit bus purchase, Washington	200,000
Jefferson Transit Facilities, Washington	1,000,000
Johnson County Nolte Transit Center, Kansas	250,000
Johnson County Transit Equipment and Transit Coach Improvement, Kansas	100,000
Kalamazoo County Human Services Care-A-Van, Michigan	75,000
Kansas City Area Transit Authority buses and bus facilities, Kansas	1,700,000
Kansas Statewide buses and bus facilities	3,000,000
KCATA buses and bus facilities, Kansas	3,000,000
Kearney RYDE Transit, Nebraska	1,000,000
Kent State University lntermodal Facility, Ohio	375,000
Kentucky Transportation Cabinet/Community Action Groups	400,000
Key West bus and bus facilities, Florida	1,100,000
Kibios Area Transit System (KATS) maintenance facility and vehicles, Oklahoma	650,000
King County Metro Clean Air Buses, Washington	5,000,000
Kitsap Transit Bus Replacement, Washington	1,000,000
Knoxville Electric Transit Intermodal Center, Tennessee	2,000,000
Lake Erie Transit Bus Storage Facility and Maintenance Facility Expansion, Michigan	1,000,000
Lakeland Area Mass Transit District Citrus Connection, Florida	550,000
Lane Transit District, BRT Phase II, Coburg Road Phase III, Oregon	2,000,000
Lansing Fixed Route Bus Replacement, ADA Paratransit Small Bus Replacement, Maintenance, Administration and Storage Facility Renovation and Expansion, CATA/MSU Bus Way, Rural Small Bus Replacement, Michigan	1,500,000
Laredo Bus Facility, Texas	850,000
Las Cruces buses and bus facilities, New Mexico	375,000
Lebanon County Transit Authority, buses and bus related facilities, Pennsylvania	450,000
Lee County LeeTran Bus Replacement, Florida	200,000
Leesburg Train Depot Renovation and Restoration, Georgia	300,000
LETS Bus Replacement, Michigan	90,000
Levy County Improvement Project for the Transportation Disadvantaged, Florida	200,000
Liberty County COA Bus Facility, Montana	50,000
Lincoln County Transportation, Bus Garage Facility, Oregon	200,000
Lincoln Park Museum Trolleys, Illinois	600,000
Link Transit Vehicle Replacement, Wenatchee, Washington	800,000
Livingston County Transportation Center, New York	400,000
Long Beach Transit buses and bus facilities, California	1,000,000
Lorain Port Authority Lighthouse Shuttle and Black River Water Taxi Project, Ohio	200,000
Los Angeles County Circulator Buses, California	400,000
Los Angeles MTA buses, California	4,000,000
Louisiana Statewide buses and bus facilities	5,500,000
Lowcountry Regional Transit Authority, South Carolina	300,000
Lowell Regional Transit Authority Gallagher Intermodal Transportation Center, Massachusetts	1,000,000
Lubbock/Citibus Buses, Texas	1,500,000
Ludinton Mass Transportation Authority Bus Facility, Michigan	250,000
Macon and Athens Multimodal Station, Georgia	1,600,000
Macon Multi-Modal Terminal Station, Georgia	1,500,000
Main Street project for downtown Buffalo, New York	650,000
Main Street Station Multimodal Transportation Center, Virginia	1,500,000
Maine Statewide buses and bus facilities	1,250,000
Mammoth Lakes Bus Purchase, California	800,000
Manistee County Transportation, Inc. Replacement Buses, Michigan	30,000

Marquette County, Phase II—Transit Administrative, Operations, Maintenance & Storage Facility, Michigan	1,000,000
MARTA Automated Fare Collection/Smart Card System, Georgia	4,000,000
MARTA Buses, Georgia	6,000,000
Maryland Statewide buses and bus facility	7,500,000
Mason County Transportation Authority Capital Improvements, Washington	200,000
Mecosta Osceola County Area Transit Vehicle Replacement, Michigan	200,000
Medical University of South Carolina Intermodal Facility, South Carolina	4,000,000
Memphis International Airport Intermodal Facility, Tennessee	2,750,000
Mesa Operating Facility, Arizona	2,000,000
Metro Area Transit (MAT) buses and bus facilities, Omaha, Nebraska	2,000,000
Metro Transit buses and bus facilities, Minnesota	4,400,000
Metro Transit Turn Around at Taylor Landing Park, Washington	40,000
Miami Dade County System Enhancements, Florida	1,000,000
Miami-Dade County buses, Florida	1,000,000
Michigan Statewide buses and bus facilities	1,000,000
Mid County Transit Authority Kittanning, Pennsylvania	400,000
Mid Mon Valley Transit Authority, Charleroi, Pennsylvania	600,000
Minnesota District 8 Transit Vehicles and Transit Bus Facilities	800,000
Minnesota Transit buses and bus facilities, Minnesota	1,672,000
Missouri Bus & Paratransit Vehicles—Rolling Stock	800,000
Missouri Statewide buses and bus facilities	8,000,000
Mobile Waterfront Terminal and Maritime Center of the Gulf, Alabama	4,500,000
Modesto Bus Facility, California	1,000,000
Montachusett Area Regional Transit (MART) buses and bus facilities, Massachusetts	2,000,000
Montclair State University Campus and Community Bus System, New Jersey	700,000
Monterey-Salinas Transit Buses, California	1,500,000
Montgomery Buses, New York	40,000
Morris County Intermodal Facilities and Park & Rides, New Jersey	3,000,000
Mountain Line Bus Replacement and Facility Improvements, Montana	200,000
MTA/Long Island Bus clean fuel cell bus purchase, New York	1,000,000
Mukilteo Lane Park and Ride, Washington	1,000,000
Multi-Modal Transportation Facility and Transit System at Oklahoma State University, Oklahoma	2,250,000
Muncie Transit System, Indiana	700,000
Myrtle Avenue Business Improvement District's Myrtle/Wyckoff/Palmetto Transit Hub Enhancement, New York	500,000
Myrtle Beach Regional Multimodal Transit Center, South Carolina	200,000
Nacogdoches Vehicle Replacement, Texas	800,000
Nashville replacement of aged buses, Tennessee	500,000
Nassau County, Hub Enhancements, New York	1,200,000
Nebraska Statewide Rural Automatic Vehicle Locating & Comms. System	750,000
Nevada Rural Transit Vehicles and Facilities	500,000
New Castle Transit Authority replacement buses, Pennsylvania	100,000
New Hampshire Statewide buses and bus facilities	4,500,000
Newark Penn Station Intermodal Improvements, New Jersey	3,000,000
Newton Rapid Transit Handicap Access Improvements, Massachusetts	300,000
Niagra Frontier Transportation Authority Metro buses and bus facilities, New York	1,600,000
Normal Multimodal Transportation Center and public facilities, Illinois	750,000
Norman buses and bus facilities, Oklahoma	3,000,000
North Bend Park and Ride, Washington	600,000
North Carolina Statewide buses and bus facilities	6,250,000
North Charleston Regional Intermodal Transportation Center, South Carolina	1,250,000
North Dakota Statewide buses and bus facilities	3,000,000
North Florida and West Coast Bus Procurement, Florida	4,000,000

North Side Transfer Center Brownsville Urban System (BUS), Texas	350,000
Northern Michigan buses and bus facilities	500,000
Northern Oklahoma Regional Multimodal Transportation System	2,500,000
Northwest Corridor Busway, Minnesota	3,000,000
Northwest Shoals Community College Transportation Modernization, Alabama	450,000
NW 7th Avenue Transit HUB Improvements, Florida	1,000,000
OATS buses and bus facilities, Missouri	1,500,000
Oats Transportation Service of Southwest Missouri	70,000
Ohio Statewide buses and bus facilities	5,000,000
Oklahoma City Buses, Oklahoma	2,250,000
Oklahoma Department of Transportation Transit Programs Division	6,250,000
Old Bridge Intermodal Stations and Park & Rides, New Jersey	500,000
Omnitrans—Paratransit Vehicles, California	300,000
Oneont Bus Replacement, New York	200,000
Orange Beach Senior Activity Center buses, Alabama	100,000
Orange County Transit Center Improvements, California	325,000
Orange County Bus Rapid Transit, California	2,250,000
Orange County Bus Replacement, New York	1,250,000
Orange County Fare Collection System, California	1,000,000
Orange County Inter-County Express Bus Service, California	1,100,000
Over the Road Bus Accessibility, Intercity Bus Accessibility Consortium, New York	3,000,000
Paducah Area Transit Authority, Kentucky	40,000
Palm Beach County and Broward County Regional Buses, Florida	1,000,000
Palm Beach Gardens Mass Transit Bus Shelters, Florida	20,000
Palmdale Intermodal Facility Parking Lot Expansion, California	300,000
Palo Alto Intermodal Transit Center, California	750,000
Paoli Transportation Center, Pennsylvania	500,000
Peoria Bus Purchase, Illinois	300,000
Perry County Intermodal Facility, Kentucky	2,000,000
Phoenix/Glendale West Valley Operating Facility, Arizona	5,000,000
Phoenix/Regional Heavy Maintenance Facility, Arizona	1,000,000
Piedmont Authority for Regional Transportation (PART) multimodal transportation center, North Carolina	1,100,000
Pierce Transit Maintenance and Operations facility, Washington	1,000,000
Pioneer Valley Transit Authority (PVTA) buses, Massachusetts	2,500,000
Pittsburgh Water Taxi, Pennsylvania	1,000,000
Pittsfield Intermodal Transportation Center, Massachusetts	615,000
Port Authority of Allegheny County Buses, Pennsylvania	2,750,000
Port Authority of Allegheny County Clean Fuel Buses, Pennsylvania	2,280,000
Port McKenzie Intermodal Facility, Alaska	1,000,000
Port of Anchorage Intermodal Facility, Alaska	3,000,000
Portland Bayside Parking Garage/Intermodal Facility, Maine	250,000
Potomac and Rappahannock Transportation Commission, Virginia	500,000
Public Transportation Management, Tyler/Longview, Texas	350,000
Puerto Rico Metropolitan Bus Authority Replacement	500,000
Pulse Point Joint Development and Safety Improvements, Norwalk, Connecticut	500,000
Putnam County Transit Coaches for Ride Solutions, Florida	1,200,000
Ray County Transportation vehicle replacement, Missouri	80,000
Red Cross Wheels, Kentucky	80,000
Redondo Beach Catalina Transit Terminal, California	800,000
Regional Transit Project for Quitman, Clay, Randolph and Stewart Counties, Georgia	500,000
Reseda Boulevard Bus Rapid Transit Project Capital Improvement, California	250,000
Richmond Highway Public Transportation Initiative, Virginia	3,000,000
RIPTA Buses and Vans, Rhode Island	4,000,000
RIPTA Facilities Upgrade, Rhode Island	400,000
Riverside Transit Agency, Automatic Traveler Information System (ATIS), California	75,000
Riverside Transit Agency, Bus Rapid Transit Investment, California	500,000
Riverside Transit Agency, Transit Center, California	1,000,000

Rochester Central Bus Terminal, New York	5,500,000
Rock Island County Mass Transit District (Metrolink) transit facility, Illinois	500,000
Rome Intermodal Station Restoration, New York	1,250,000
Ronstadt Transit Center Modifications, Arizona	3,000,000
Roseville Multitransit Center, California	500,000
RTC Central City Intermodal Transportation Terminal, Las Vegas, Nevada	500,000
Sacramento Regional Bus Expansion, Enhancement, and Coordination Program, City of Auburn, California	100,000
Sacramento Regional Bus Expansion, Enhancement, and Coordination Program, City of Lincoln, California	500,000
Sacramento Regional Transit District, Bus Maintenance Facility, California	500,000
Salem Area Transit, Bus Replacement, Oregon	600,000
San Antonio VIA Metropolitan Transit buses and bus facilities, Texas	5,000,000
San Fernando Local Transit System, California	300,000
San Francisco Muni buses and bus facilities, California	4,000,000
San Joaquin RTD buses and bus facilities, California	250,000
San Mateo County Transit District Zero-Emission buses, California	900,000
Sanilac County bus facility, Michigan	100,000
Santa Barbara Metropolitan Transit District Electric Bus Investment, California	300,000
Santa Clara Valley Transportation Authority Zero-Emission Buses, California	300,000
Sawmill Creek Intermodal Facility, Alaska	2,000,000
Schlow Library Bus Depot, State College, Pennsylvania	800,000
Schuylkill Transportation System, buses and bus facilities, Pennsylvania	1,000,000
Senior Services of Northern Kentucky buses and bus facilities, Kentucky	250,000
SEPTA Bucks County Intermodal Facility Improvements, Pennsylvania	3,500,000
SEPTA Hybrid Buses, Pennsylvania	800,000
SEPTA Norristown Intermodal Facility, Pennsylvania	3,000,000
Shiawassee Transportation Center and replacement buses, Michigan	40,000
Shreveport Intermodal Bus Facility, Louisiana	700,000
Small Urban and Rural Transit Center, North Dakota	400,000
Smithtown Senior Citizen Center Bus Replacement, New York	200,000
Snohomish County Community Transit Park and Ride Lot Expansion Program, Washington	2,000,000
Somerset County Transportation System Maintenance Facility, Pennsylvania	160,000
Sonoma County Transit CNG Buses, California	500,000
Sound Transit Regional Express Transit Hubs, Washington	2,000,000
South Amboy Regional Intermodal Transportation Initiative, New Jersey	1,000,000
South Bend TRANSPO Bus Facilities, Indiana	1,000,000
South Carolina Statewide Transit Facilities Construction Project	1,000,000
South Carolina Statewide Transit Vehicles	4,000,000
South Clackamas Transit, Molalla, Oregon	100,000
South Dakota Statewide buses and bus facilities	2,000,000
South East Texas Transit Facility Improvements and Bus Replacements	250,000
South San Fernando Valley Park and Ride facility expansion, California	300,000
Southeast Arkansas Area Agencies on Aging buses and bus facilities, Arkansas	320,000
Southeast Missouri Bus Service Capital Improvements	1,500,000
Southern and Eastern Kentucky buses and bus facilities	1,550,000
Southern Maryland Commuter Bus Initiative	4,500,000
Southern Minnesota Transit Facilities	30,000
Southern Minnesota Transit Vehicles	375,000
Southwest Missouri State University Transfer Facility, Missouri	2,500,000
Sparks and Reno Bus and Bus Facilities, Nevada	150,000
Spring Valley Multi-Modal Center, California	600,000

Springfield Bus Purchase, Illinois	300,000
Springfield Station, Oregon	4,000,000
Springfield Union Station Intermodal facility redevelopment, Massachusetts	4,500,000
St. Augustine Intermodal Transportation and Parking Facility, Florida	550,000
St. Bernard Parish Intermodal Facilities, Louisiana	500,000
St. Cloud Buses, Minnesota	100,000
St. George Ferry Terminal Reconstruction, New York	2,250,000
St. Johns County Council on Aging Administrative Facility, Florida	200,000
St. Johns County Council on Aging Passenger Amenities, Florida	40,000
St. Johns County Council on Aging Transit Coaches, Florida	350,000
St. Joseph County Transit, Michigan	35,000
St. Louis Downtown Shuttle/Trolley Equipment, Missouri	250,000
St. Louis METRO buses and bus facilities, Missouri	1,250,000
St. Tammany Park and Ride, Louisiana	400,000
Suburban Mobility Authority for Regional Transportation (SMART) buses and bus facilities, Michigan	4,500,000
Suffolk County Transit Buses, New York	1,900,000
SunLine Transit Agency Clean Fuels Mall Facility and Hydrogen Infrastructure Expansion, California	450,000
TalTran buses and bus facilities, Florida	700,000
TalTran Intermodal Facility, Florida	500,000
Temecula Transit Center, California	800,000
Tempe Downtown Transit Center, Arizona	500,000
Tempe/Scottsdale East Valley Facilities, Arizona	4,000,000
Tennessee Statewide buses and bus facilities	6,500,000
Terminal Station Multi-Modal Roof Rehabilitation, Georgia	338,000
The Banks Intermodal Facility, Cincinnati, Ohio	3,500,000
The District-Bryan Intermodal Transit Terminal/Parking Facility & Pedestrian Improvements, Texas	400,000
The Woodlands Capital Costs, Texas	350,000
The Woodlands Park and Ride Expansion, Texas	275,000
Tillamook County Transit, Maintenance Facility, Oregon	200,000
Tompkins County Bus Facilities, New York	400,000
Topeka Transit buses and bus facilities, Kansas	500,000
Transit Authority of Northern Kentucky Bus Replacement, Kentucky	2,000,000
Transit Authority of River City buses and bus facilities, Kentucky	2,500,000
Transit Authority of Warren County Intermodal Bus Facility, Pennsylvania	1,500,000
Transit First Implementation, Chula Vista, California	400,000
Transportation Authority of the River City (TARC) bus/trolley replacement, Kentucky	2,500,000
Transportation Authority of the River City (TARC) expansion facility, Kentucky	800,000
Trenton Intermodal Station, New Jersey	750,000
Tri-Met Regional Bus Replacement, Oregon	650,000
Troy State University Bus Shuttle Program, Troy, Alabama	1,500,000
Truckee Replacement Buses, California	75,000
Tucson Alternative Fuel Replacement Buses, Arizona	3,600,000
Tulsa Transit Bus Replacement Program, Oklahoma	4,500,000
Tulsa Transit Paratransit Buses, Oklahoma	750,000
UCHRA Capital Improvements, Tennessee	600,000
Ulster County Area Transit Buses, New York	40,000
UNI Multimodal Project, Iowa	3,500,000
Unified Government of Kansas City bus replacement, Kansas	350,000
Union County Union/Snyder Transportation Alliance (USTA), Pennsylvania	500,000
Union Depot Multi-modal Transportation Hub, Minnesota	750,000
Union Station Renovations, Utica, New York	750,000
University of Delaware Fuel Cell Bus Project, Delaware	1,750,000
UTA Transit ITS, Upgrades, Utah	250,000
Utah Statewide buses and bus facilities	6,000,000
Utah Statewide Intermodal Centers	4,000,000
VanBuren Public Transit, Michigan	18,000
Ventura County CNG Fueling Station and Facility Pavement Replacement, California	400,000

Vermont Alternative Fuel Station and Buses, Vermont	500,000
Vermont, Bus Upgrades	800,000
Village of Pleasantville, Handicapped Ramp, New York	48,000
Village of Pleasantville, Memorial Plaza, New York	200,000
Virgin Islands Transit (VITRAN) Buses	500,000
Visalia Bus Operations and Maintenance Facility, California	1,000,000
VOTRAN Public Transit System Buses, Florida	750,000
Washington State Small Bus System Program of Projects	3,799,000
West Palm Beach Trolley Buses, Florida	800,000
West Side Transit Facility Albuquerque Transit Department, New Mexico	2,000,000
West Virginia Statewide buses and bus facilities	4,000,000
Westchester County Bee Line Bus Replacement, New York	2,750,000
Western Gateway Transportation Center Intermodal Facility, Schenectady, New York	400,000
Western Kentucky University Bus Shuttle System, Kentucky	2,500,000
Westmoreland County Transit Authority (WCTA) Bus Replacement, Pennsylvania	900,000
Whitehall Inter-Modal Terminal of the Staten Island Ferry Reconstruction, New York	800,000
Wilsonville Park and Ride, Oregon	300,000
Winston-Salem Union Station, North Carolina	1,300,000
Winter Haven Transit Terminal, Florida	350,000
Wisconsin, Statewide buses and bus facilities	15,000,000
WMATA Bus Fleet, Washington, DC	750,000
WMATA Buses, Maryland	600,000
Wright Stop Plaza, Dayton, Ohio	1,500,000
Wyandanch Intermodal Transit Facility, New York	400,000
Wyoming Statewide buses and bus facilities	2,000,000
York County Transit Authority (YCTA) buses and bus facilities, Pennsylvania	100,000
Zanesville Bus System Improvements, Ohio	20,000

San Dieguito Transportation Cooperative, California.—Amounts made available from fiscal year 2002 for the San Dieguito Transportation Cooperative, California, shall instead be distributed to the North County Transit District, California, for initial design and planning for a new intermodal center, as proposed by the House.

Cambria County, Pennsylvania.—Amounts made available from fiscal year 2003 for the Cambria County operations and maintenance facility, Pennsylvania, shall be distributed to the Johnstown Inclined Plane visitor's center, Pennsylvania, as proposed by the House.

Hollister-Gilroy Caltrain Extension Project, California.—Amounts made available from fiscal year 2001 for the Hollister-Gilroy Caltrain Extension Project, California, shall be distributed to the Caltrain San Francisco-San Jose-Gilroy service to Pajoar, Castroville, and Salinas in Monterey County, California, as proposed by the House.

Somerset County, Pennsylvania.—Amounts made available from fiscal year 2002 for the Somerset County Transportation System buses, Pennsylvania, shall be distributed to Somerset County Accessible Raised Roof Vans ($90,000) and to Somerset County bus and bus facilities ($146,000), Pennsylvania, as proposed by the House.

Community Medical Centers, California.—Amounts made available from fiscal year 2001 for the Community Medical Centers Intermodal Facility, Fresno, California, shall be available for the City of Fresno for the same project, as proposed by the House. The availability of funds is extended for one year.

Illinois statewide buses.—The conference agreement provides $7,000,000 to the Illinois Department of Transportation (IDOT) for bus and bus facilities grants. The conferees expect IDOT to provide at least $3,500,000 for downtown Illinois replacement of buses in Bloomington, Champaign-Urbana, Decatur, Madison County, Peoria, Quincy, RIDES, River Valley, Rockford, Rock Island, South Central Illinois MTD, and Springfield. Further, the conferees expect IDOT to provide appropriate funds for bus facilities in Bloomington, Galesburg, Rock Island, and Metro Link's bus maintenance facility in St. Clair County.

Washington statewide small transit systems, bus and bus facilities.—The conference agreement provides $3,799,000 to the Washington State Department of Transportation (WSDOT) for bus and bus facilities grants. The conferees expect WSDOT to fund the following projects: (1) $688,000 Clallam Transit; (2) $103,000 Columbia County Public Transportation (CCPT); (3) $144,000 Grays Harbor Transportation Authority; (4) $1,094,000 Island Transit; (5) $416,000 Jefferson Transit; (6) $480,000 Mason County Transportation Authority; (7) $88,000 Pullman Transit; (8) $108,000 Twin Transit; and (9) $708,000 Valley Transit, as proposed by the Senate.

Civil Rights Trail Trolleys.—Amounts made available in fiscal year 2001 for the Montgomery Civil Rights Trail Trolleys shall instead be distributed to the City of Montgomery's Rosa Parks bus project, as proposed by the Senate. The availability of funds is extended for one year.

Vermont buses.—Amounts made available in fiscal year 2001 for Central Vermont Transit Authority Wheels Transportation Services shall be distributed to the Vermont Agency of Transportation, as proposed by the Senate. The availability of funds is extended for one year.

Reno, Nevada, bus projects.—Amounts made available for Bus Rapid Transit, South Virginia Street—Reno ($1,950,000, fiscal year 2003) and Reno Suburban transit coaches ($500,000, fiscal year 2002) shall be made available for Reno/Sparks intermodal transportation terminals, as proposed by the Senate.

Falls Church Bus Rapid Transit terminus, Virginia.—Funds made available for Falls Church Bus Rapid Transit terminus, Virginia, for fiscal year 2001 shall be made available to the City of Falls Church to purchase three 30-foot buses to provide shuttle service from temporary parking lots during the construction of a parking garage at the West Falls Church Metrorail station. Once the garage is completed, the buses will be used to provide feeder service to the West Falls Church Metrorail station. The availability of funds is extended for one year.

Eastchester, Metro North Facilities, New York.—Amounts made available in fiscal year 2001 for Eastchester, Metro North Facilities, New York shall instead be distributed to the Bronx Zoo Intermodal Transportation Facility, New York. The availability of funds is extended for one year.

Westbrook, Intermodal Facility, Maine.—Amounts made available in fiscal year 2003 for Westbrook, Intermodal Facility, Maine shall instead be distributed to State of Maine, Statewide Buses.

NEW STARTS

New starts.—The conference agreement provides $1,323,794,000, for new fixed guideway systems. In addition, funds made available for new starts are to be supplemented with $4,514,482 from reallocated projects included in the fiscal year 2000 and 2001 Appropriations Acts under "Federal Transit Administration, job access and reverse commute grants".

Alternatives analysis review.—The conferees are concerned that sufficient weight and review are not being given to the earliest stage of new starts projects, namely the alternatives analysis undertaken by local communities. Therefore, the conferees direct FTA to ensure that alternative modes and/or alignments analyzed as part of the metropolitan planning process fully support the selection of projects forwarded to FTA for proposed new starts funding. Specifically, the alternatives analysis made by applicants must fully weigh viable alternatives and ensure that quantitative measures are used in choosing the locally preferred alternative. The conferees direct FTA to report to the House and Senate Committees on Appropriations on how the agency will undertake this direction, as well as recommendations, that include statutory changes if necessary, for improving the alternatives analysis process to improve planning at the onset. The report is due by March 1, 2004.

Ratings for new starts criteria.—The conferees are also concerned that FTA may have changed their new starts ratings criteria, specifically the new "time savings per rider" measure, hastily. Therefore, the conferees direct FTA to revisit the issue of the abolition of the "cost-per-new-rider" measure. FTA shall report to the House and Senate Committees on Appropriations on the justification for the elimination of that rating, as well as the reasoning for the new "time savings per rider" implementation.

Within this report, FTA should also detail other characteristics that may be useful in evaluating new start projects, particularly traffic congestion relief. FTA should include suggestions for how these criteria could be quantitatively measured and rated in the annual new starts report. This report shall be submitted to the House and Senate Committees on Appropriations by February 16, 2004.

The conference agreement provides for the following distribution of funding for new fixed guideway systems:

Atlanta, Georgia, Northwest Corridor BRT	$2,149,413
Baltimore, Maryland, Central Light Rail Double Track Project	40,000,000
BART San Francisco Airport (SFO), California, Extension Project	100,000,000
Birmingham—Transit Corridor, Alabama	3,500,000
Boston, Massachusetts, Silver Line Phase III	2,000,000
Charlotte, North Carolina, South Corridor Light Rail Project	12,000,000
Chicago, Illinois, Metro Commuter Rail Expansions and Extensions	52,000,000
Chicago, Illinois, Ravenswood Reconstruction	10,000,000
Chicago, Illinois, Transit Authority, Douglas Branch Reconstruction	85,000,000
Cleveland, Ohio, Euclid Corridor Transportation Project	11,000,000
Dallas, Texas, North Central Light Rail Extension	30,161,283
Denver, Colorado, Southeast Corridor LRT (T–REX)	80,000,000
East Side Access Project, New York, Phase I	75,000,000
Ft. Lauderdale, Florida, Tri-Rail Commuter Project	18,410,000
Hawaii and Alaska Ferry Boats	10,296,000
Houston Advanced Metro Transit Plan, Texas	8,000,000
Integrated Intermodal project, Rhode Island	3,000,000

Kenosha-Racine-Milwaukee Commuter Rail Extension, Wisconsin	3,250,000
Las Vegas, Nevada, Resort Corridor Fixed Guideway, MOS	20,000,000
Little Rock, Arkansas, River Rail Streetcar Project	3,000,000
Maine Marine Highway	1,550,000
Memphis, Tennessee, Medical Center Rail Extension	9,247,588
Minneapolis, Minnesota, Hiawatha Corridor Light Rail Transit (LRT)	74,980,000
Minneapolis, Minnesota, Northstar Corridor Rail Project	5,750,000
New Orleans, Louisiana, Canal Street Streetcar Project	23,291,373
New York, Second Avenue Subway	2,000,000
Newark, New Jersey, Rail Link (NERL) MOS1	22,566,022
Northern Oklahoma Regional Multimodal Transportation System	3,000,000
Northern, New Jersey, Hudson-Bergen Light Rail (MOS2)	100,000,000
Phase II, LA to Pasadena Metro Gold Line Light Rail Project	4,000,000
Philadelphia, Pennsylvania, Schuylkill Valley Metro	14,000,000
Phoenix, Arizona, Central Phoenix/East Valley Light Rail Transit Project	13,000,000
Pittsburgh, Pennsylvania, North Shore Connector	10,000,000
Pittsburgh, Pennsylvania, Stage II Light Rail Transit Reconstruction	32,243,442
Portland, Oregon, Interstate MAX Light Rail Extension	77,500,000
Raleigh, North Carolina, Triangle Transit Authority Regional Rail Project	5,500,000
Regional Commuter Rail (Weber County to Salt Lake City), Utah	9,000,000
Salt Lake City, Utah, Medical Center LRT Extension	30,663,361
San Diego, California, Mission Valley East Light Rail Transit Extension	65,000,000
San Diego, California, Oceanside-Escondido Rail Project	48,000,000
San Francisco, California Muni Third Street Light Rail Project	9,000,000
San Jose, California, Silicon Valley Rapid Transit Corridor	2,000,000
Scranton, Pennsylvania, NY City Rail Service	2,500,000
Seattle, Washington, South Transit Central Link Initial Segment	75,000,000
South Shore Commuter Rail Service capacity enhancement, Indiana	1,000,000
Stamford, Connecticut, Urban Transitway & Intermodal Transportation Center Improvements	4,000,000
Tren Urbano Rapid Transit System, San Juan, Puerto Rico	20,000,000
VRE Parking Improvements, Virginia	3,000,000
Washington, DC/VA Dulles Corridor Rapid Transit Project	20,000,000
Washington, DC/MD, Largo Extension	65,000,000
Western North Carolina Rail Passenger Service	1,000,000
Wilmington, Delaware, Train Station Improvements	1,500,000
Wilsonville to Beaverton, Oregon, Commuter Rail	3,250,000
Yarmouth to Auburn Line, Maine	1,000,000

VRE Parking Improvements, Virginia.—The conference agreement includes $3,000,000 for VRE Parking Improvements in Virginia. The conferees direct that of the funds provided, not less than $1,250,000 shall be for improvements to the Manassas Old Town VRE Parking Center, Virginia.

Utah program of projects.—The conference agreement includes a provision (Section 171) that amends the Federal Transit Act of 1998 (Public Law 105–178; 112 Stat. 338) by creating section 3042, which provides for the coordinated development and governmental funding for Utah transportation projects. Subsection (a) directs FTA and FHWA to work with the Utah Transit Authority and the Utah Department of Transportation to coordinate preconstruction and construction of the regional commuter rail project and the northern segment of I–15 reconstruction located in the Wasatch Front corridor extending from Brigham City to Payson, Utah. Subsection (b) defines a program of related projects for purposes of determining and allocating the governmental and nongovernmental share of project costs. This subsection permits federal funds that

may remain after completion of the Medical Center Extension to be allocated to a vehicle and storage track extending from the Delta Center; permits use of the value of the purchase of the regional commuter rail right-of-way from Brigham City to Payson, Utah, to be used for the nongovernmental share of the Weber County to Salt Lake City segment; permits the purchase and rehabilitation of rail vehicles with non-governmental funds for use on one project to be counted toward the nongovernmental share of another project; and permits crediting non-matched funding for the northern segment of I–15 reconstruction to the non-governmental share of the regional commuter rail project.

JOB ACCESS AND REVERSE COMMUTE GRANTS

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes a total program level of $125,000,000 for job access and reverse commute grants, as proposed by the Senate. Within this total, $25,000,000 is derived from the general fund. Within the funds provided, $20,000,000 is transferred and merged with funding under "Federal Transit Administration, capital investment grants". The conference agreement includes a provision that provides that up to $300,000 of the funds appropriated under this heading may be used for technical assistance, technical support, and performance reviews of the job access and reverse commute grants program, as proposed by the Senate.

Funds appropriated for the job access and reverse commute grants program are to be distributed as follows:

AC Transit CALWorks Welfare to Work, California	$1,499,000
Access to Healthcare for Children—Children's Health Fund, Tennessee	375,000
ADA Mobility Planning, Wichita, Kansas	365,000
Akron Metro Regional Transit Authority Job Access and Reverse Commute Program, Ohio	300,000
Alabama Disabilities Advocacy Program (ADA) Rural Transportation Services, Alabama	500,000
Bay Area Transit, Virginia	200,000
Bedford Ride, Virginia	60,000
Bowling Green Housing Authority Reverse Access Commute, Kentucky	300,000
Broome County Transit, New York	100,000
Capital District Transportation Authority JARC, New York	500,000
Central New York Regional Transportation Authority JARC	400,000
Central Ohio Transit Authority JARC, Ohio	500,000
Chatham Area Transit Job Access Reverse Commute (JARC), Georgia	1,000,000
Chautauqua County Job Access/Reverse Commute Project, New York	100,000
Cheyenne River Sioux Tribe Public Bus System, South Dakota	250,000
Chittenden County Transportation Authority JARC Program, Vermont	250,000
City of Hornell Job Access & Reverse Commute Program, New York	100,000
City of Irwindale Senior Transportation Services, California	65,000
City of Poughkeepsie Underserved Population Bus Service, New York	100,000
CityLink public transportation services, Texas	100,000
Community Transportation Association of America's National Joblinks Program	2,500,000
Connecticut Statewide JARC	3,250,000
Corpus Christi Welfare to Work Project, Texas	376,000

Craig Transit Service JARC Program, Alaska	50,000
Delaware Statewide Welfare to Work	750,000
Detroit Job Access Reverse Commute, Michigan	1,600,000
Easter Seals West Alabama JARC Program, Alabama	1,000,000
El Paso Sun Metro Job Access, Texas	775,000
Essex County Job Access/Reverse Commute Project, New York	100,000
Flint Transit Job Access-Reverse Commute Program, Michigan	750,000
Fort Smith Transit Job Access/Reverse Commute Program, Arkansas	200,000
Franklin County Job Access/Reverse Commute Project, New York	200,000
Galveston Job Access Reverse Commute Program, Texas	475,000
Georgetown, Washington, DC—Metro Connection	1,000,000
Grand Rapids/Kent County JARC, Michigan	1,200,000
Greater Cleveland Regional Transit Authority JARC Program, Ohio	750,000
Guaranteed Ride Home, Santa Clarita, California	400,000
Holyoke Community Access to Employment and Adult Education, Massachusetts	75,000
I–405 Congestion Relief Project, Washington	2,000,000
Illinois Statewide JARC	200,000
IndyGo IndyFlex Job Access and Reverse Commute Program, Indiana	750,000
Iowa Statewide JARC	1,000,000
Jackson-Josephine JARC, Oregon	200,000
Jacksonville Transportation Authority, Community Transportation Coordinator Program, Florida	3,000,000
JARC MidAmerica Regional Council, Johnson County, Kansas	500,000
Jefferson County Job Access and Reverse Commute Projects, Alabama	3,000,000
Kansas City Job Access Partnership, Missouri	500,000
Key West, Florida, Job Access and Reverse Commute	500,000
Knox County Community Action Committee Transportation Program, Tennessee	400,000
Knoxville Area Transit Job Access Service, Tennessee	550,000
Lake Tahoe Public Transit Services JARC Project, Nevada	100,000
Link Transit JARC Program, Wenatchee, Washington	500,000
Lubbock Citibus Job Access Reverse Commute, Texas	230,000
Maine Statewide JARC	494,000
Maricopa Association of Governments Job Access/Reverse Commute Grant Projects, Arizona	1,750,000
Maryland Statewide JARC	4,000,000
MASCOT Matanuska-Susitna Valley JARC Project, Alaska	200,000
Mendocino Transit Authority Job Access Reverse Commute, California	100,000
Metro Link San Bernadino Platform Extension, California	1,000,000
Metropolitan Access to Job Initiative, Fargo, North Dakota, and Moorhead, Minnesota	100,000
Metropolitan Council Job Access, Minnesota	500,000
Missouri Statewide JARC	4,000,000
Mobility Coalition, Alaska	500,000
Monroe County Job Access and Reverse Commute Program, Tennessee	100,000
MTA Long Island Bus Job Access and Reverse Commute Project, New York	250,000
Nevada Statewide small urban and rural Job Access and Reverse Commute	400,000
New Jersey Community Development Corporation Transportation Opportunity Center, Paterson, New Jersey	300,000
New Jersey Statewide JARC	4,750,000
New Mexico Statewide JARC	600,000
New York Statewide JARC	1,000,000
Niles/Trumbull Transit, Ohio	200,000
North Country County Consortium, New York	5,000,000
North Oakland Transportation Authority, Michigan	150,000
North Pole Transit System JARC Program, Alaska	75,000
Oklahoma Statewide JARC	6,000,000
Oneida/Herkimer County Job Access/Reverse Commute Project, New York	100,000

Operation Ride DuPage, DuPage County, Illinois	500,000
Orange County JARC, New York	100,000
Pioneer Valley Access to Jobs and Reverse Commute Program, Massachusetts	455,000
Port Authority of Allegheny County JARC, Pennsylvania	3,644,000
Portland Region Jobs Access-Reverse Commute, Oregon	500,000
Ray Graham Association for People With Disabilities, Illinois	125,000
Rhode Island Statewide JARC	1,412,000
Rochester-Genesee Regional Transportation Authority JARC, New York	750,000
Sacramento Region Job Access and Reverse Commute Project, California	1,500,000
Salem Area Transit JARC, Oregon	400,000
San Antonio VIA Metropolitan Transit Authority JARC, Texas	550,000
SEPTA JARC Program, Pennsylvania	4,500,000
Seward Transit Service JARC Program, Alaska	200,000
Sitka Community RIDE, Alaska	600,000
South East Texas Transit Facility Improvements and Bus Replacements	300,000
Tennessee Statewide JARC	5,750,000
Texas Colonias JARC Initiative	2,400,000
Toledo Job Access/Reverse Commute, Ohio	350,000
Tompkins Consolidated Area Transit, New York	75,000
Topeka Metropolitan Transit Authority JARC, Kansas	700,000
Ulster County Area Transit Rural Feeder Service, New York	50,000
Unified Government of Wyandotte County JARC, Kansas	1,375,000
Vanpooling Enhancement and Expansion Project, Washington	750,000
Vehicle Trip Reduction Incentives, Washington	1,000,000
Virginia Beach Paratransit Services, Virginia	200,000
Virginia Regional Transportation Association	200,000
Virginia Statewide Ways to Work	1,000,000
VoxLinx Voice-Enabled Transit Trip Planner, Maryland	1,300,000
Washington Metropolitan Area Transit Authority JARC	1,000,000
Washington State Transit car-sharing job access	500,000
Ways to Work, California	1,000,000
Ways to Work, Tarrant County, Texas	300,000
West Memphis Transit Service, Arkansas	250,000
West Virginia Statewide JARC	1,000,000
Wisconsin Statewide JARC	2,600,000
Worcester Regional Transit Authority JARC Projects, Massachusetts	150,000

GENERAL PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

The conference agreement includes a provision (Section 160) exempting previously made transit obligations from limitations on obligations.

The conference agreement includes a provision (Section 161) allowing funds for discretionary grants of the Federal Transit Administration for specific projects, except for fixed guideway modernization projects, not obligated by September 30, 2005, and other recoveries, to be used for other projects under 49 U.S.C. 5309, as proposed by both the House and Senate.

The conference agreement includes a provision (Section 162) allowing transit funds appropriated before October 2, 2002, that remain available for expenditure to be transferred, as proposed by both the House and Senate.

The conference agreement deletes a provision included in the House bill prohibiting funds for a light rail system in Houston, Texas.

The conference agreement includes a provision (Section 163) permitting funds made available to Alaska or Hawaii for ferry-

boats, ferry terminals, and ferry passenger service, and limits to $3,000,000 the amount available to the state of Hawaii to initiate and operate passenger ferryboat service demonstration projects to test the viability of different intra-island and inter-island ferry boat rates and technology, as proposed by the Senate.

The conference agreement includes a provision (Section 164) allowing the Roaring Fork Transportation Authority, Colorado, to expend previously appropriated funds on the Roaring Fork Valley Bus Rapid Transit project, as proposed by both the House and Senate.

The conference agreement includes a provision (Section 165) allowing unobligated previously appropriated new starts funds to be spent notwithstanding any other provision of law, as proposed by the Senate.

The conference agreement includes a provision (Section 166) establishing a pooled procurement pilot program for bus procurements, as proposed by the Senate.

The conference agreement includes a provision (Section 167) allowing previously appropriated new starts funds for Yosemite, California, to be obligated for buses or bus facilities, as proposed by the Senate.

The conference agreement includes a provision (Section 168) modifying the calculation of the non-New Starts share of funding for the San Francisco Muni Third Street Light Rail Project, as proposed by both the House and Senate, and states that if the new calculation is still a "not recommended rating", funds provided may not be obligated, as proposed by the House.

The conference agreement includes a provision (Section 169) allowing previously appropriated new start funds for Cleveland Berea Red Line to be used for the Euclid Corridor Transportation Project, as proposed by the Senate.

The conference agreement includes a provision (Section 170) allowing job access and reverse commute funds designated to the Community Transportation Association of America (CTAA) in the conference report accompanying the fiscal year 2003 Department of Transportation Appropriations Act to be available to CTAA for authorized JARC projects or activities implemented in the United States.

The conference agreement includes a provision (Section 171) amending the Federal Transit Act of 1998 (Public Law 105–178; 112 Stat. 338) providing for the coordinated development and governmental funding for Utah transportation projects.

The conference agreement includes a provision (Section 172) modifying the Federal share for the Charleston Area Regional Transportation Authority under 49 U.S.C. 5307, as proposed by the Senate.

The conference agreement includes a provision (Section 173) allowing the Pennsylvania Cumberland/Dauphin County Corridor I to be an eligible recipient for activities under 49 U.S.C. 5307 and 5309, as proposed by the Senate.

The conference agreement includes a provision (Section 174) providing funding for the Memphis Medical Center light rail extension project, as proposed by the Senate.

The conference agreement includes a provision (Section 175) allowing the Memphis-Shelby International Airport intermodal facility to be eligible under "Federal Transit Administration, bus and bus facilities", as proposed by the Senate.

The conference agreement includes a provision (Section 176) allowing specific funds made available under the heading "Federal Transit Administration, Formula Grants" for fiscal year 2004 to be available to a transit provider that operates 25 or fewer vehicles in an urbanized area with a population of at least 200,000 to finance the transit operating costs of equipment and facilities for services to elderly and persons with disabilities, not to exceed $10,000,000 annually.

The conference agreement includes a provision (Section 177) prohibiting Federal transit grantees from obligating or expending funds that would otherwise be available in the Act, if the grantee is involved directly or indirectly with any activity, including displaying or permitting to be displayed advertisements on its land, equipment, or in its facilities, that promotes the legalization or medical use of substances listed in schedule I of section 202 of the Controlled Substance Act.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

The conference agreement includes $14,400,000 for the Operations and Maintenance of the Saint Lawrence Seaway Development Corporation as proposed by the Senate.

Capital Improvements.—The conferees are concerned about the material condition of the U.S. Seaway lock infrastructure, which is nearly 50 years old. Given the single-lock configuration of the system, the conferees are concerned about the potential impact of diminished structural integrity of the U.S. locks upon system availability. The conferees direct the Corporation to examine the capital improvement needs of the Corporation including the need for replacing concrete at the locks. The Corporation is encouraged to develop a long-term capital improvement plan and present this to the House and Senate Committees on Appropriations along with the officially submitted budget justification for fiscal year 2005.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

The conference agreement includes $98,700,000 for the Maritime Security Program as proposed by the House and Senate.

OPERATIONS AND TRAINING

The conference agreement includes $106,997,000 for MARAD's Operations and Training account, instead of $105,879,000 as proposed by the House and $106,000,000 as proposed by the Senate. The conference agreement allocates the funds for Operations and Training as follows:

Activity	Administration request	Conference agreement[1]
U.S. Merchant Marine Academy:		
Salary and benefits	$20,981	$23,600
Midshipmen program	6,274	6,274
Instructional program	3,431	3,431
Program direction and administration	2,931	2,931
Maintenance, repair, & operating requirements	6,298	6,298
Capital improvements	13,000	13,500
Subtotal, USMMA	52,915	56,034
State Maritime Schools:		
Student incentive payments	1,200	1,200
Direct schoolship payments	1,200	1,200
Schoolship maintenance and repair	7,063	8,063
Subtotal, State Maritime Academies	9,463	10,463
MARAD Operations:		
Base operations	37,425	36,000
Strategic ports evaluation and provision	0	500
Enterprise architecture & IT security upgrades	4,597	3,000
Marine security professional training	0	1,000
Subtotal, MARAD Operations	42,022	40,500
Subtotal, Operations and Training	104,400	106,997

Base Ops Breakout.—The conferees direct MARAD to comprehensively delineate the antecedent line item elements, along with their associated, requested funding levels, that encompass Base Operations within future, officially submitted budget justifications to the House and Senate Committees on Appropriations.

USMMA Salaries and Benefits.—Of the total provided for this purpose, the conferees direct MARAD to devote at least $1,600,000 to be used to alleviate some of the vacant, personnel positions that are essential to the core mission of the Academy.

USMMA Capital Improvements.—The conferees direct MARAD to submit an updated addendum to the ten-year capital improvement plan for the United States Merchant Marine Academy no later than ninety days after enactment of this Act that adjusts the original cost projections as per the revised scope of work remaining to be completed.

SMS Schoolship M&R.—The conferees encourage MARAD to follow the distribution of funds for Schoolship Maintenance and Repair as delineated within the fiscal year 2004 budget justification.

Maritime Security Professional Training.—In support of Section 109 of the Maritime Transportation Security Act, the conference agreement includes a one-time appropriation of $1,000,000 to initiate maritime security training for any federal, state, local, and private law enforcement or security personnel as proposed by the House. The conferees expect MARAD to coordinate with the state maritime academies, the U.S. Merchant Marine Academy, and the Appalachian Transportation Institute in the facilitation of this training. Furthermore, the conferees encourage MARAD to seek assistance from the Department of Homeland Security in the implementation of this training.

Intermodal Efficiency.—The conferees direct MARAD to report to the House and Senate Committees on Appropriations, no later than 90 days after enactment of this Act, on the performance of the intermodal system with respect to the efficiency of the most congested ports. Within this report, particular emphasis should be

placed on summarizing the performance of the 14 strategic commercial ports during the military force build-up for Operation Iraqi Freedom and on identifying the most glaring deficiencies of the intermodal system as a whole. This report is to contain a thorough comparison of the most congested ports in terms of operational efficiency; identification of significant intermodal obstacles associated with each port; and a summary of future actions MARAD plans to take to address and improve the throughput of cargo in America's ports. The conferees expect MARAD to work with industry groups as well as the scientific community in the completion of this study.

Additional Required Reports.—The conferees direct MARAD to submit all reports as directed in the House report no later than 45 days after enactment of this Act.

SHIP DISPOSAL

The conference agreement includes $16,211,000 for the disposal of obsolete vessels of the National Defense Reserve Fleet, instead of the $14,000,000 proposed by the House and $18,422,000 as proposed by the Senate.

MARITIME GUARANTEED LOAN PROGRAM

The conference agreement includes $4,498,000 for administration expenses of the Maritime Guaranteed Loan Program (Title XI) as proposed by the Senate. The conferees note MARAD's cooperation with the Department of Transportation's Inspector General (DOTIG) on the implementation of managerial reforms of the Title XI program and are encouraged by the progress towards certification of the maritime loan guarantee process, as specified in P.L. 108–11.

SHIP CONSTRUCTION

(RESCISSION)

The conference agreement includes a rescission of unobligated balances totaling $4,107,056 from the dormant ship construction account.

General Provisions—Maritime Administration

The conference agreement includes a provision (Section 180) authorizing MARAD to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of MARAD, and allow payments received to be credited to the Treasury.

The conference agreement includes a provision (Section 181) prohibiting obligations to be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

The conference agreement provides $46,441,000 for research and special programs, instead of $47,018,000 as proposed by the

House and $42,516,000 as proposed by the Senate. Within this total, $2,510,000 is available until September 30, 2006, instead of $2,427,000 as proposed by the House and $3,473,000 as proposed by the Senate.

The conference agreement permits up to $1,200,000 in fees to be collected and deposited in the general fund of the Treasury as offsetting receipts. Also, the conference agreement includes language that permits funds received from states, counties, municipalities, other public authorities and private sources for expenses incurred for training, reports publication and dissemination, and travel expenses incurred in the performance of hazardous materials exemptions and approval functions. The House and Senate proposed both of these provisions.

Prior year funding decisions.—In House Joint Resolution 2 (Public Law 108–7), the Transportation and Related Agencies Appropriations Act for fiscal year 2003, the Congress denied certain funding in RSPA's budget request for the reason that there were decreases that the Congress had taken in previous Acts and RSPA was requesting that the Congress restore that funding. RSPA has again undertaken this type of budgeting in the fiscal year 2004 request. The conferees are strongly dismayed at this trend, and direct RSPA and the Department of Transportation Office of Budget and Policy to cease these types of requests immediately.

Further, the conferees direct RSPA to implement appropriate accounting procedures and budgetary tools to ensure proper accounting and integrity of appropriated funds, as proposed by the Senate. A report is due to the House and Senate Committees on Appropriations ninety days after enactment of this Act, detailing the measures that will be taken to address these shortfalls and a timeline for implementation.

OFFICE OF HAZARDOUS MATERIALS

The conference agreement provides $23,675,000 for the office of hazardous materials, instead of $23,558,000 as proposed by the House and $22,814,000 as proposed by the Senate. The following adjustments are made to the budget estimate:

Reduce funding for requested hazmat positions and associated administrative costs	−$494,000
Reduce funding to review and analyze transportation regulations governing SNF and HLW	−500,000
Reduce funding for restoration of fiscal year 2003 across-the-board cut	−149,000

New positions.—The conference agreement provides seven new positions for the office of hazardous materials: one SNF/HLW engineer, one SNF/HLW inspector, one SNF/HLW lawyer, and four restoration positions in the wake of September 11th.

OFFICE OF RESEARCH AND TECHNOLOGY

The conference agreement provides $2,507,000 for the office of research and technology, instead of $2,193,000 as proposed by the House and $2,394,000 as proposed by the Senate. The following adjustments are made to the budget estimate:

Reduce funding for requested positions and associated administrative costs	−$48,000

Reduce funding for hazardous materials and hydrogen fuel research	−200,000
Reduce funding for restoration of fiscal year 2003 across-the-board cut	−18,000

New positions.—The conference agreement provides one new hydrogen fuel engineer position for the office of research and technology.

Hydrogen fuels research.—Before new staff is hired, the office of research and technology shall perform an assessment on the safety and technology status of the infrastructure supporting hydrogen fuels transportation. The report shall include an analysis of what steps RSPA is taking to work with the Department of Energy to ensure that all research related to hydrogen fuels is complementary in order to maximize investment. The report should be submitted to the House and Senate Committees on Appropriations no later than February 1, 2004, and $50,000 is provided for necessary research.

OFFICE OF EMERGENCY TRANSPORTATION

The conference agreement provides $2,720,000 for the office of emergency transportation, instead of $2,463,000 as proposed by the House and $2,802,000 as proposed by the Senate. The following adjustments are made to the budget estimate:

Reduce funding for requested positions and associated administrative costs	−$514,000
Reduce funding for emergency transportation regional equipment and training	−250,000
Reduce funding for restoration of fiscal year 2003 across-the-board cut	−13,000

New positions.—The conference agreement provides seven new positions for the office of emergency transportation: five crisis management center positions and two full-time regional RETCOs. In addition, the conferees encourage RSPA to utilize flexibility to ensure that the regional emergency response teams are adequately equipped, as proposed by the Senate.

OFFICE OF PROGRAM MANAGEMENT

The conference agreement provides $17,539,000 for the office of program management, instead of $18,858,000 as proposed by the House and $14,506,000 as proposed by the Senate. The following adjustments are made to the budget estimate:

Reduce funding for requested positions and associated administrative costs	−$434,000
Reduce funding for infrastructure technology modernization	−859,000
Reduce funding for restoration of fiscal year 2003 across-the-board cut and TASC cut	−320,000

New positions.—The conference agreement provides five new positions for the office of program management; one contracting specialist, one database manager, two IT staff, and one support service specialist.

Infrastructure technology modernization.—Due to budget constraints, the conference agreement reduces funding for RSPA's IT upgrade by $859,000. The conferees direct RSPA to keep the House and Senate Committees on Appropriations informed of these exten-

sive upgrades through biannual correspondence, due in February and August, as proposed by the House.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

The conference agreement provides a total of $66,305,000 for the pipeline safety program, instead of $64,054,000 as proposed by the House and $67,612,000 as proposed by the Senate. Within this total, $21,828,000 is available until September 30, 2006, instead of $21,786,000 as proposed by the House and $22,710,000 as proposed by the Senate.

Of this total, the conference agreement specifies that $13,000,000 shall be derived from the Oil Spill Liability Trust Fund and $53,305,000 from the Pipeline Safety Fund. The House bill allocated $9,000,000 from the Oil Spill Liability Trust Fund and $55,054,000 from the Pipeline Safety Trust Fund. The Senate bill provided $17,183,000 from the Oil Spill Liability Trust Fund and $50,429,000 from the Pipeline Safety Fund. The following adjustments are made to the budget estimate:

Deny decreased funding for one-call grants	+$1,000,000
Reduce funding for requested positions and associated administrative costs	−1,342,000
Reduce funding for restoration of fiscal year 2003 across-the-board cut	−581,000

New positions.—The conference agreement provides twelve new positions for the office of pipeline safety: four natural gas IMP inspectors, two State program manager liaisons, four FERC inspectors, and two Alaska regulations specialists.

State one-call grants.—The conferees deny a proposed decrease in one-call grants, as proposed by the House and Senate, and have restored $1,000,000. The conferees feel strongly that these grants are an important tool in reducing the number of pipeline incidents.

Pipeline safety fund and oil spill liability trust fund.—The conferees direct the Office of Pipeline Safety to allocate oversight activities between the hazardous liquid and gas pipelines and to factor the Oil Spill Liability Trust Fund into the allocation formula that determines the hazardous liquid pipeline user fee assessment to accurately reflect the amount and type of oversight activities being conducted by the office consistent with the Trust Fund. The fiscal year 2005 budget justification should adequately address this issue.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

The conference agreement provides $200,000 for emergency preparedness grants as proposed by both the House and the Senate. The conference agreement includes a limitation on obligations of $14,300,000, consistent with both the House and Senate proposals.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement includes $56,000,000 for the Office of Inspector General.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

The conference agreement provides a funding level of $19,521,000 for the Surface Transportation Board to fund salaries and expenses from a direct appropriation, as proposed by both the House and Senate. The conference agreement includes language as proposed by both the House and the Senate that allows the Board to offset $1,050,000 of its appropriation from fees collected during the fiscal year, for a total program level of $18,521,000.

Union Pacific/Southern Pacific merger.—On December 12, 1997, the Board granted a joint request of Union Pacific Railroad Company and the City of Wichita and Sedgwick County, KS (Wichita/Sedgwick) to toll the 18-month mitigation study pending in Finance Docket No. 32760. The decision indicated that at such time as the parties reach an agreement or discontinue negotiations, the Board would take appropriate action.

By petition filed June 26, 1998, Wichita/Sedgwick and UP/SP indicated that they had entered into an agreement, and jointly petitioned the Board to impose the agreement as a condition of the Board's approval of the UP/SP merger. By decision dated July 8, 1998, the Board agreed and imposed the agreement as a condition to the UP/SP merger. The terms of the negotiated agreement remain in effect. If UP/SP or any of its divisions or subsidiaries materially changes or is unable to achieve the assumptions on which the Board based its final environmental mitigation measures, then the Board should reopen Finance Docket 32760 if requested by interested parties, and prescribe additional mitigation properly reflecting these changes if shown to be appropriate.

TITLE II—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $176,109,000 for departmental offices of the Treasury Department instead of $175,809,000 proposed by the House and $174,809,000 proposed by the Senate. A table comparing the House bill, Senate bill, and conference agreement follows:

	House bill	Senate bill	Conference agreement
President's estimate	$166,875,000	$166,875,000	$166,875,000
Adjustments to the estimate:			
FY03 reductions not reflected in base:			
FECA costs	−27,000	−27,000	−27,000
Savings from prior year Congressional priorities	−2,854,000	0	−2,854,000

	House bill	Senate bill	Conference agreement
Business strategy adjustment	−599,000	0	0
Unanticipated administrative cost increases	6,399,000	5,800,000	6,100,000
Office of International Affairs	2,730,000	2,727,000	2,730,000
Office of Terrorist Financing & Financial Crimes	2,285,000	2,285,000	2,285,000
Certificate-based internet security initiatives	1,000,000	0	1,000,000
Delete funding for Asian Dev Bank Conf & TPI	0	−2,851,000	0
Total	175,809,000	174,809,000	176,109,000

A table comparing the conference agreement, by office, to the budget estimate follows:

	Budget estimate	Conference agreement
Economic Policy	$4,145,000	$4,145,000
International Affairs	25,151,000	27,881,000
Tax Policy	13,955,000	13,955,000
Domestic Finance	9,448,000	9,448,000
Terrorist Financing and Financial Crimes	0	2,285,000
Foreign Asset Control	21,855,000	21,855,000
Management and CFO Programs	14,275,000	14,275,000
Executive Direction	17,168,000	17,168,000
Treasury-Wide Financial Statement Audits	3,393,000	3,393,000
Administration	57,485,000	61,704,000
Total	166,875,000	176,109,000

Office of Foreign Assets Control.—The conference agreement specifies not less than 120 full-time equivalent (FTE) staff-years for this office, as proposed by the Senate.

Reports on travel.—Modifying a proposal of the House, the conferees agree that quarterly reports are to be submitted providing details on the international travel of departmental employees.

Staffing in certain offices.—The conferees agree that the department is limited to 19 FTE in the Office of International Affairs, as proposed by the Senate, and 14 FTE for the Executive Office of Terrorist Financing and Financial Crimes, as proposed by the House.

Marketing of the new $20 currency note.—The conferees acknowledge that some expenditure was necessary to market the new $20 currency note to the public and to private businesses both in the United States and abroad. However, the amount spent by the Bureau of Engraving and Printing (BEP) for this purpose was excessive, and far greater than similar efforts in the past. Although BEP is self-financed through a revolving fund, this does not absolve the bureau from being cost-efficient in all of its operations. The conferees direct BEP to submit to the House and Senate Committees on Appropriations, not later than December 31, 2003, a report showing the baseline amount of funds returned to the Treasury from their recurring operations at the end of fiscal year 2003. The conferees further direct BEP to manage its operations in a manner so that, by the end of fiscal year 2005, that baseline amount has been increased by $14,000,000. The Appropriations Committees will monitor this situation annually to help ensure those targets are reached.

CyberShield.—The conferees are aware of efforts to develop a public/private partnership which will develop best practices in real-time detection and the creation of response centers to protect existing financial services sectors from next generation cyber attacks. The conferees encourage the Department of the Treasury to work closely with the Department of Homeland Security to support this important initiative.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENT PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $36,400,000 for department-wide systems and capital investment programs, instead of $36,653,000 as proposed by the House and $36,928,000 as proposed by the Senate. The bill includes language proposed by the Senate restricting any of these funds for programs of the Internal Revenue Service, which has its own capital appropriation. The reduction from the budget estimate of $528,000 is to be allocated against the HR Connect program.

HR Connect.—Including the $25,461,000 in this bill for fiscal year 2004, the HR Connect project will have received over $140,000,000 in appropriations since its beginning in fiscal year 1998. Although the conferees remain committed to this project, given its significant cost and scope, as well as recent downsizing at the Treasury Department affecting program requirements, the conferees direct the Secretary of the Treasury to provide to the House and Senate Appropriations Committees, within six months of enactment of this Act, a status report on the project. The report should include, but not be limited to, the following: (1) the original scope of this effort and any changes to those initial requirements since the beginning of the project in 1998; (2) accomplishments to date on the development and implementation of new systems and software, and the success in deploying those new systems across Treasury bureaus; (3) the impact that these new systems have had on overall human resource management processes of the Department; (4) the savings, if any, that have resulted from the implementation of HR Connect throughout the department thus far; and (5) the additional funding necessary beyond fiscal year 2004 to complete the project.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement includes $13,000,000 for salaries and expenses of the Office of Inspector General, instead of $12,792,000 proposed by the House and $12,687,000 proposed by the Senate.

Study on expanded use of blanks.—The conferees agree to the study, proposed by the House, on the potential and cost-effectiveness of expanded use of pre-made "blanks" by the U.S. Mint in the production of circulating coins. However, instead of using the U.S. General Accounting Office to complete this study, as proposed by the House, the conferees agree that the study should be performed by the Treasury Office of Inspector General, and additional funding

has been included for this purpose. The report should be submitted to the House and Senate Committees on Appropriations, and appropriate legislative committees, not later than April 1, 2004.

Treasury Building and Annex repair and restoration project.—The conferees note that since the first full year of funding for this project in fiscal year 1998, $178,000,000 has been appropriated for the project. This is in addition to the $28,000,000 appropriated in fiscal year 1997 to undertake immediate repairs resulting from fire damage to the Treasury Building in 1996. As part of the conferees' ongoing oversight of major capital projects, the conferees direct the Treasury Inspector General to conduct an audit of all Treasury Building renovation and restoration contracts since fiscal year 1998. Such audit shall include, but need not be limited to: (1) compliance with all applicable procurement laws, rules, and regulations, and the Architectural Barriers Act of 1968, as amended; (2) a review of the scope, requirements, and cost reasonableness of the project, as well as the process for managing change orders to the original scope and design; and (3) the effectiveness, efficiency, and economy of contractor operations. The audit shall be completed and submitted to the House and Senate Committees on Appropriations within eight months of enactment of this Act. Additional funding is provided in this appropriation for completion of this audit.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $128,034,000 as proposed by both the House and the Senate.

AIR TRANSPORTATION STABILIZATION PROGRAM

The conference agreement provides $2,538,000 as proposed by both the House and the Senate.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

The conference agreement provides $25,000,000 as proposed by both the House and the Senate. The bill prohibits the obligation of $7,000,000 for this program until completion of the Inspector General audit described under "Treasury Office of Inspector General, salaries and expenses" or until approval in writing by the House and Senate Committees on Appropriations.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

The conference agreement provides $57,571,000 as proposed by both the House and the Senate.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

The conference agreement provides $228,558,000 as proposed by both the House and the Senate.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

The conference agreement provides $80,000,000 as proposed by both the House and the Senate.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

The conference agreement limits liabilities and obligations from the Public Enterprise Fund to $40,652,000 as proposed by both the House and the Senate. As previously discussed, bill language proposed by the House relating to a General Accounting Office study of pre-made "blanks" has been dropped in lieu of a study by the Office of Inspector General.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

The conference agreement provides $173,652,000 as proposed by both the House and the Senate.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

The conference agreement provides $4,033,000,000 instead of $4,037,834,000 as proposed by the House and $4,048,238,000 as proposed by the Senate. The conferees agree that the reductions should encompass the proposed new initiatives for fiscal year 2004. The bill specifies that up to $4,100,000 is available for tax counseling for the elderly instead of $4,250,000 as proposed by the House and $3,950,000 as proposed by the Senate. Further, the bill provides up to $7,500,000 for low-income taxpayer clinic grants instead of $8,000,000 as proposed by the House and $7,000,000 as proposed by the Senate.

Report on certain accelerated depreciation benefits in Oklahoma.—The conferees direct the IRS to provide a report to the House and Senate Committees on Appropriations, not later than 90 days following enactment of this Act, providing the status and the total dollars of accelerated depreciation available by special statute for investments on former Indian land in Oklahoma, including the extent to which such accelerated depreciation benefits are being used.

TAX LAW ENFORCEMENT

The conference agreement provides $4,196,000,000 instead of $4,221,408,000 as proposed by the House and $4,172,808,000 as proposed by the Senate.

INFORMATION SYSTEMS

The conference agreement provides $1,590,962,000 as proposed by the Senate instead of $1,628,739,000 as proposed by the House. Of the total amount provided, $200,000,000 is available for obliga-

tion for two years as proposed by the Senate, instead of $165,000,000 as proposed by the House. The balance of the appropriation is available until expended. The conferees agree that, within the overall reduction, the IRS is to make the specific reductions included in the House report.

BUSINESS SYSTEMS MODERNIZATION

The conference agreement provides $390,000,000 instead of $429,000,000 proposed by both the House and the Senate. The reduction is due to budget constraints.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

The conference agreement provides $35,000,000 as proposed by both the House and the Senate.

GENERAL PROVISIONS—INTERNAL REVENUE SERVICE

The conference agreement includes provisions under this heading, as proposed by the Senate. The House had proposed such provisions under a comprehensive heading for the Department of the Treasury.

The bill includes a provision (sec. 201) proposed by both the House and Senate allowing the service to transfer funding among appropriations made to the IRS in this Act, limited to five percent and subject to advance approval of the House and Senate Committees on Appropriations.

The bill includes a provision (sec. 202) proposed by both the House and Senate requiring the IRS to maintain a training program focusing on certain areas of customer service.

The bill includes a provision (sec. 203) proposed by both the House and Senate requiring the safeguard of taxpayer information.

The bill includes a provision (sec. 204) proposed by both the House and Senate requiring the IRS to make the improvement of the 1–800 help line a top priority in the allocation of staffing and other resources.

The bill includes a provision (sec. 205) modifying a provision of the Senate relating to cash pension regulations. The provision accepts Senate language prohibiting the issuance of regulations on cash balance pension plans, and requires the Treasury Department to submit legislation to the Congress within 180 days to provide transition relief for older and longer-service employees affected by conversions of traditional pension plans to cash balance plans. The House had a similar provision under title seven of the bill, which is not included in the conference agreement.

The bill includes a provision (sec. 206) proposed by the Senate requiring a study compiling statistics on the earned income tax credit certification program, to be submitted in interim form by July 30, 2004 and in final form by June 30, 2005. The House bill included no similar provision.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

The bill includes a provision (sec. 210) proposed by both the House and Senate allowing appropriations to be used for certain

specified expenses such as uniforms, motor vehicle insurance, and health insurance for employees serving in foreign countries.

The bill includes a provision (sec. 211) proposed by both the House and Senate allowing the transfer of up to 2 percent of appropriations made to the Department of the Treasury among offices within the department.

The bill includes a provision (sec. 212) proposed by both the House and Senate allowing the transfer of up to 2 percent of appropriations made to the IRS to the Treasury Inspector General for Tax Administration.

The bill includes a provision (sec. 213) proposed by the Senate requiring that the purchase of law enforcement vehicles by any Treasury bureau be consistent with department-wide vehicle management principles. The House bill contained no similar provision.

The bill includes a provision (sec. 214) proposed by both the House and Senate prohibiting funds to redesign the $1 Federal Reserve note.

The bill includes a provision (sec. 215) proposed by both the House and Senate allowing the transfer of funds from "Salaries and expenses, financial management service" to the debt services account to cover the costs of debt collection.

The bill includes a provision (sec. 216) proposed by the Senate extending the pay demonstration project at the Alcohol Tax and Trade Bureau from five years to six years, which will result in the program being extended through fiscal year 2004.

The bill includes a provision (sec. 217) proposed by both the House and Senate prohibiting funds of the U.S. Mint from being used to construct or operate a museum unless approved by the Congress.

The bill includes a provision (sec. 218) proposed by the House relating to the reimbursement of financial institutions for services directed or required by the Secretary of the Treasury. The Senate proposed a similar provision that was identical in substance.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

The conference agreement provides $450,000 for compensation of the President as proposed by both the House and Senate. The bill includes a general provision codifying in statutory law the substance of provisions carried in appropriations Acts since 1981. The modification of 3 U.S.C. 102 stipulates that the President's expense allowance shall not be included as gross income, and any unused portion shall revert to the Treasury. This is identical to current law as carried in annual appropriations Acts, and will obviate the need to carry this provision each year in the appropriations process.

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

The conference agreement provides $69,168,000 instead of $66,057,000 as proposed by the House and $61,937,000 as proposed by the Senate. Of the funding provided, $7,231,000 is for the Office

of Homeland Security. The restriction on the obligation of funds in the House report relating to a report on funding for renovation and furnishings is not necessary, as the report has been submitted. The reduction of $1,100,000 reflects elimination of the President's Critical Infrastructure Advisory Board since submission of the budget, as proposed by the House.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE OFFICE

OPERATING EXPENSES

The conference agreement provides $12,501,000 as proposed by both the House and the Senate.

REIMBURSABLE EXPENSES

The agreement includes bill language on reimbursements as proposed by both the House and the Senate and identical to language carried in fiscal year 2003.

WHITE HOUSE REPAIR AND RESTORATION

The conference agreement provides $4,225,000 as proposed by both the House and the Senate.

COUNCIL OF ECONOMIC ADVISORS

SALARIES AND EXPENSES

The conference agreement provides $4,502,000 as proposed by the Senate instead of $4,000,000 as proposed by the House.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

The conference agreement provides $4,109,000 as proposed by both the House and the Senate.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

The conference agreement provides $10,551,000 as proposed by the Senate instead of $9,000,000 as proposed by the House.

HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

The bill deletes the separate appropriation for this council proposed by the Senate. Instead, the conference agreement provides funding under "White House Office", as proposed by the House but at a modified level.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $82,826,000 as proposed by the House instead of $77,164,000 as proposed by the Senate. The

agreement reflects reductions proposed by the House for information technology services (-$1,500,000) and security services for the Office of Science and Technology Policy (-$1,096,000) as well as a transfer back to this account for the core enterprise pilot program (+$8,258,000). The conferees encourage the Administration to include all EOP funds for the core enterprise pilot program under this appropriation in the fiscal year 2005 budget request. The bill specifies that, of the total funding provided, $20,578,000 is for capital investment plan activities as proposed by the Senate instead of $17,470,000 as proposed by the House.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

The conference agreement provides $67,159,000 instead of $62,272,000 as proposed by the House and $75,417,000 as proposed by the Senate.

Reception and representation expenses.—The bill includes $3,000 as proposed by the Senate instead of $1,500 as proposed by the House.

Office of Information and Regulatory Affairs.—The conferees direct that $1,000,000 of the total funding provided in this appropriation be withheld from obligation until resolution of existing programmatic concerns by House conferees are addressed and the House and Senate Committees on Appropriations approve of such obligation.

Implementation of the Federal Data Quality Act.—The conferees are concerned that agencies are not complying fully with the requirements of the Federal Data Quality Act (FDQA). The conferees agree that data endorsed by the Federal Government should be of the highest quality, and that the public should have the opportunity to review the data disseminated by the Federal Government for its accuracy and have available to it a streamlined procedure for correcting inaccuracies. The Administrator of the Office of Information and Regulatory Affairs (OIRA) is directed to submit a report to the House and Senate Committees on Appropriations by June 1, 2004 on whether agencies have been properly responsive to public requests for correction of information pursuant to the FDQA, and suggest changes that should be made to the FDQA or OMB guidelines to improve the accuracy and transparency of agency science.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

The conferees agree to provide $27,996,500 as proposed by the Senate instead of $28,790,000 as proposed by the House. Of this amount, $1,500,000 is provided as a grant to the National Alliance for Model State Drug Laws, as proposed by the House and Senate.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $42,000,000 as proposed by the Senate instead of $40,000,000 as proposed by the House. Of this amount, the conferees agree to provide $24,000,000 for the technology transfer program as proposed by the Senate, instead of $22,000,000 as proposed by the House. The conferees direct ONDCP to report to the Committees on Appropriations, no later than December 31, 2003, on CTAC funding allocations, specifically providing a detailed spending plan for both the research and development program and the technology transfer program for fiscal years 2001–2003. In addition, the conferees direct the chief scientist to notify the Committees on Appropriations on how fiscal year 2004 funds will be spent, as well as to provide biannual reports on priority counterdrug enforcement research and development requirements and the status of projects funded by CTAC. Finally, the conferees direct ONDCP to include in the fiscal year 2005 budget request a specific accounting of the total number of grant applications received and the number awarded in the previous fiscal year.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $226,350,000 as proposed by the House and Senate. The conferees agree to provide that HIDTAs designated as of September 30, 2003 shall be funded at no less than the fiscal year 2003 initial allocation levels. The conferees provide that no funds in excess of the fiscal year 2004 budget request shall be obligated without prior approval of the Committees on Appropriations. Approval for the expenditure of these funds must be sought according to reprogramming guidelines.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $229,000,000 instead of $230,000,000 as proposed by the House and $174,000,000 as proposed by the Senate. The conferees agree to provide $145,000,000 for the National Youth Anti-Drug Media Campaign. In addition, the conferees agree to provide $70,000,000 for Drug-Free Communities Support, of which $1,000,000 is provided as a directed grant to the Community Anti-Drug Coalitions of America; $7,200,000 for the U.S. Anti-Doping Agency; $3,000,000 for the Counterdrug Intelligence Executive Secretariat; $1,000,000 for the National Drug Court Institute; $2,000,000 for Performance Measures Development; and $800,000 for United States dues to the World Anti-Doping Agency.

NATIONAL YOUTH ANTI-DRUG MEDIA CAMPAIGN

While the conferees are encouraged by data released by the Partnership for a Drug-Free America showing welcome trends in the incidence of youth drug use, the conferees wish to reemphasize the need to demonstrate that such trends can be linked to the Media Campaign itself. The conferees therefore direct ONDCP to submit to the Committees on Appropriations an evaluation plan for the Media Campaign covering fiscal years 2004–2008 no later than 120 days after enactment of this Act. In addition, the conferees direct ONDCP to provide to the Committees on Appropriations a detailed report regarding the type and content of all advertising, its timing and placement in media markets, and the matches provided for all advertising. In order to ensure that a sufficient amount will be spent on advertising, the conferees agree to provide that no less than 78 percent of the funds provided shall be spent on the purchase of advertising time and space.

U.S. ANTI-DOPING AGENCY

The conferees agree to provide $7,200,000 as proposed by the Senate instead of $1,500,000 as proposed by the House. The conferees direct the U.S. Anti-Doping Agency to provide to the Committees on Appropriations a prior year expenditure report as well as a detailed spending plan for fiscal year 2004 funds. Each report should include a section reporting USADA's efforts to secure funding from sources other than the Federal government. These reports should be provided no later than 120 days after enactment of this Act.

UNANTICIPATED NEEDS

The conference agreement provides $1,000,000 as proposed by both the House and the Senate.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

The conference agreement provides $4,461,000 as proposed by both the House and the Senate. The appropriation has been placed at the end of the title as proposed by the House.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $331,000 as proposed by both the House and the Senate. The appropriation has been placed at the end of the title as proposed by the House.

GENERAL PROVISION—EXECUTIVE OFFICE OF THE PRESIDENT

The bill includes a provision (sec. 301) stating that the President's expense allowance shall not be included as gross income of the President and specifying that unused portions of that allowance shall revert to the Treasury.

TITLE IV—INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

The conference agreement includes $5,401,000 as proposed by the House and Senate.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

The conferees agree to provide $73,499,000, instead of $76,679,000 as proposed by the House and $72,170,000 as proposed by the Senate. The conferees direct NTSB to make certain improvements in its annual budget justification, particularly by expanding and improving the presentation of the resource requirements section. This section should clearly indicate the absolute level of funds and FTE for each program activity, as well as the increases or reductions in funding and FTE sought for the fiscal year of the budget request. The document should also include a more detailed narrative section justifying NTSB's proposals.

EMERGENCY FUND

The conferees agree to provide $600,000 as proposed by the House and Senate.

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

The conferees agree to provide $4,725,000 as proposed by the House and Senate.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

The conferees agree to provide $51,240,000 instead of $50,440,000 as proposed by both the House and Senate. The additional $800,000 is to support the Office of Election Administration, which was not included in the President's budget request in anticipation of the establishment of the Election Assistance Commission. Due to delay in the establishment of the EAC, the conferees agree to provide OEA with funding, on the condition that any unobligated balances be transferred to the EAC upon its establishment. Of the total amount, the conferees also agree to provide that no less than $6,389,900 shall be available for internal automated data processing systems, as proposed by the House.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

The conferees agree to provide $1,200,000, instead of $5,000,000 as proposed by the House and no funding as proposed

by the Senate. The conferees agree to provide the amount as a separate appropriation as proposed by the House.

ELECTION REFORM PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $500,000,000 for Election Reform Programs, instead of $1,500,000,000 as proposed by the Senate and $495,000,000 as proposed by the House. Consistent with language proposed by the House, the conferees agree to provide that the General Services Administration will have the authority to administer available funds, including the funds appropriated in this Act, until the establishment of the Election Assistance Commission. The conferees agree to provide that no more than $100,000 shall be available to GSA for administrative expenses. Within the amount provided, the conferees also agree to provide $750,000 for the Help America Vote Foundation, $750,000 for the Help America Vote College Program, and $200,000 for the National Student/Parent Mock Election, all of which are authorized by the Help America Vote Act.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

The conferees agree to provide $29,611,000 as proposed by the House and Senate.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $18,471,000 as proposed by the House and the Senate.

Information Technology.—The Conferees direct the Commission to submit a report to the House and Senate Committees on Appropriations no later than 45 days after enactment of this Act, summarizing the Commission's current information technology improvement initiatives and long-term technology improvement plan.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides total obligational availability of $7,216,464,000 from the federal buildings fund in fiscal year 2004. This includes limitations on obligations of $6,758,208,000 and an appropriation from the general fund of $446,000,000.

CONSTRUCTION

The conference agreement provides $708,268,000 for construction instead of $406,168,000 as proposed by the House and $659,668,000 as proposed by the Senate. The following table compares the budget estimate, House bill, Senate bill, and conference agreement by project:

[In thousands of dollars]

	Budget estimate	House bill	Senate bill	Conference agreement
Border Stations:				
Jackman, ME	$7,712	$7,712	$7,712	$7,712
Champlain, NY	35,031	31,031	31,031	31,031
Detroit, MI	25,387	25,387	25,387	25,387
Blaine, WA	9,812	9,812	9,812	9,812
Del Rio, TX	23,966	23,966	23,966	23,966
Eagle Pass, TX	31,980	31,980	31,980	31,980
San Diego, CA	34,211	34,211	34,211	34,211
McAllen, TX	17,938	17,938	17,938	17,938
Subtotal	186,037	182,037	182,037	182,037
Courthouses:				
Anniston, AL	0	0	4,400	4,400
Los Angeles, CA	0	0	50,000	50,000
Orlando, FL	0	0	7,200	7,200
Charlotte, NC	0	0	8,500	8,500
Toledo, OH	0	0	6,500	6,500
Harrisburg, PA	0	0	26,000	26,000
Greenville, SC	0	0	11,000	11,000
San Antonio, TX	0	0	8,000	8,000
Richmond, VA	0	0	83,000	83,000
Subtotal	0	0	204,600	204,600
Other:				
Census Bldg, Suitland, MD	146,451	146,451	146,451	146,451
FBI Bldg, Houston, TX	58,080	58,080	58,080	58,080
Non-prospectus construction	10,000	9,000	10,000	9,000
Federal (Tuttle) Bldg, Atlanta, GA	0	10,600	0	10,600
Federal Bldg, Tuscaloosa, AL	0	0	7,500	7,500
Denver Federal Center, CO	0	0	6,000	6,000
FDA Consolidation, MD	0	0	45,000	42,000
DOT headquarters, DC	(45,000)	(45,000)	0	42,000
Subtotal	214,531	224,131	273,031	321,631
Total, GSA construction	400,568	406,168	659,668	708,268

FDA Consolidation at White Oak, Montgomery County, MD.—The conferees deem the $42,000,000 appropriated for FDA Consolidation at White Oak sufficient for the design and construction of the engineering physics lab and office building for FDA's Center for Devices and Radiological Health (CDRH). If this sum is insufficient, the conferees expect GSA to submit a reprogramming request to the Committees on Appropriations for funds sufficient to design and construct the engineering physics lab and office building for CDRH.

REPAIRS AND ALTERATIONS

The conference agreement provides $991,300,000 for repairs and alterations instead of $1,010,454,000 as proposed by the House and $1,000,939,000 as proposed by the Senate. The bill specifies the following funds for certain projects which were proposed in either the House or Senate bills:

Project	*Amount*
Terre Haute Post Office, IN	$4,600,000
Bellingham Federal Building, WA	2,610,000
Tuttle Annex, Atlanta, GA	6,725,000

Bellingham, WA federal building.—The conference agreement includes language proposed by the Senate transferring funds for the Bellingham federal building to the City of Bellingham, subject to disposal of the building to the city.

Eisenhower Executive Building.—The conference agreement does not include language, proposed by the House, withholding funds until a report is submitted on the use of non-federal funding for renovation efforts for the Eisenhower office building. The report has been submitted, making the provision unnecessary.

INSTALLMENT ACQUISITION PAYMENTS

The conference agreement provides $169,745,000 for installment acquisition payments as proposed by both the House and the Senate.

RENTAL OF SPACE

The conference agreement provides $3,280,187,000 instead of $3,278,187,000 as proposed by the Senate and $3,308,187,000 as proposed by the House.

BUILDING OPERATIONS

The conference agreement provides $1,608,708,000 as proposed by both the House and the Senate.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

The conference agreement provides $56,383,000 as proposed by the House instead of $61,781,000 as proposed by the Senate.

e-travel.—The conferees agree that GSA has been responsive to the House's concerns that the e-travel initiative should not involve mandatory participation by Federal agencies. Furthermore, the conferees agree that, in its management of e-travel prime contractors, GSA should seek to preserve that portion of the federal travel agent business that is currently served by small businesses and local entrepreneurs.

OPERATING EXPENSES

The conference agreement provides $88,110,000 instead of $79,110,000 as proposed by the House and $85,083,000 as proposed by the Senate. Within the funds provided, the conferees direct GSA to make the following distributions:

Project	*Amount*
Web Wise Kids	$600,000
Exhibitions on the enslaved north, NY Historical Society	250,000
Public service recognition week	100,000
Center for Jewish History archival preservation project, New York, NY	328,000
B&O Railroad Museum emergency restoration, Baltimore, MD	372,000
Balls Ferry Historic Park, Wilkinson County, GA	1,000,000
Saenger Restoration Project, AL	500,000
Homeless school access project, Washington DOT, WA	1,000,000
Hurricane Isabel repairs, NDRF, Fort Eustis, VA	1,850,000
Alaska statehood celebration	450,000
2003 Women's World Cup Tournament	1,800,000
Ruffner Mountain Educational Facility, AL	300,000
Rural government outreach initiative	75,000
Hawaii statehood celebration	225,000
Upper Great Plains Native American Telehealth program	100,000
Iowa communications network	50,000

Public service recognition week.—The conferees recognize that public service recognition week, a program of the Public Employees Roundtable, has educated America about the value of the career workforce, which carries out the daily operations of government. This program, which has existed for over 10 years, plays an important role in educating our nation's youth by providing them with timely information about their government. The conferees urge GSA to support the mission of the Public Employees Roundtable, and provides $100,000 in administrative and logistical assistance to public service recognition week activities, the same level as provided for fiscal year 2003.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $39,169,000 as proposed by both the House and the Senate.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $3,000,000 instead of $1,000,000 as proposed by the House and $5,000,000 as proposed by the Senate. The conferees agree that none of these funds should be used for performance awards.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $3,393,000 as proposed by both the House and the Senate.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

The bill includes a provision (sec. 401) as proposed by both the House and the Senate related to the crediting of proper appropriations for GSA expenses.

The bill includes a provision (sec. 402) as proposed by both the House and the Senate allowing GSA funds to be used for motor vehicle rental expenses.

The bill includes a provision (sec. 403) as proposed by both the House and the Senate requiring transfer of federal building funds

among various activities only to the extent necessary to meet program requirements and subject to prior approval of the House and Senate Committees on Appropriations.

The bill includes a provision (sec. 404) as proposed by both the House and the Senate mandating any fiscal year 2005 budget request for courthouse construction reflect the priorities of the Judicial Conference of the United States, meet design guide standards, and be accompanied by a courtroom utilization study.

The bill includes a provision (sec. 405) as proposed by both the House and the Senate requiring federal agencies to pay rental rates established by GSA in order to receive certain building support services such as cleaning and security enhancements.

The bill includes a provision (sec. 406) as proposed by both the House and the Senate related to federal buildings fund savings from the implementation of pilot information technology projects.

The bill includes a provision (sec. 407) as proposed by both the House and the Senate allowing savings from construction projects to be used to settle claims of less than $250,000 in other construction projects, subject to prior notification to the House and Senate Committees on Appropriations.

The bill deletes a provision proposed by the House related to implementation of the e-travel service. The Senate bill included no similar provision.

The bill includes a provision (sec. 408) as proposed by the Senate directing GSA to acquire property in Portsmouth, NH for a federal office building to replace the McIntyre Federal Building, and authorizing GSA to give the McIntyre Building to the City of Portsmouth under certain conditions. The House bill included no similar provision.

The bill includes a provision (sec. 409) proposed by the House allowing GSA to make certain election reform payments, if necessary, prior to appointment of the Election Assistance Commission. The Senate bill included no similar provision.

The bill includes a provision (sec. 410) proposed by the House prohibiting funds to establish a Quick Response Team Processing Center in Chattanooga, TN. The Senate bill included no similar provision.

The bill includes a provision (sec. 411) facilitating the completion of a land conveyance in San Joaquin County, California.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $32,877,000 as proposed by the House and Senate. The conferees also agree to provide $2,626,000 as a limitation on administrative expenses to be transferred from the appropriate trust fund, rather than providing the amount as a direct appropriation as requested by the President.

MORRIS K. UDALL FOUNDATION

MORRIS K. UDALL TRUST FUND

The conference agreement provides $1,996,000 as proposed by the Senate instead of $1,300,000 as proposed by the House. The bill modifies a provision proposed by the House relating to a financial audit of the program. The modification allows up to $50,000 for this purpose instead of $100,000. The agreement allows 60 percent of funds to be provided to the Native Nations Institute as proposed by the Senate instead of 70 percent as proposed by the House.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

The conference agreement provides $1,309,000 as proposed by the Senate instead of $1,300,000 as proposed by the House.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

The conference agreement provides $256,700,000 instead of $255,191,000 as proposed by the House and $258,191,000 as proposed by the Senate. The bill includes $600,000 regarding the records of the Freedmen's Bureau as proposed by the House instead of no funding as proposed by the Senate.

Working group pursuant to the Japanese Imperial Government Disclosure Act.—The conference report includes language extending working group activities under the Japanese Imperial Government Disclosure Act for one additional year. The conferees believe that no further extensions should be granted. All remaining activities of the Interagency Working Group are to be completed within the additional 12 months allotted.

ELECTRONIC RECORDS ARCHIVE

The conference agreement provides $35,914,000 as proposed by the House instead of no funds as proposed by the Senate.

REPAIRS AND RESTORATION

The conference agreement provides $13,708,000 instead of $6,458,000 as proposed by the House and $13,483,000 as proposed by the Senate. The bill specifies that $500,000 is provided for a Military Personnel Records Center requirements study, $2,250,000 is for a new regional archives and records facility in Anchorage, Alaska, and $5,000,000 is for repair and restoration of the plaza surrounding the Lyndon Baines Johnson Presidential Library in Austin, Texas. Each of these projects were in either the House or Senate bills.

Nixon Presidential records.—The bill includes a provision allowing the transfer of Nixon Administration Presidential records and materials outside the Washington, D.C. metropolitan area, subject to the control of the Archivist and consistent with current laws governing the transfer and storage of Presidential records.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION—GRANTS PROGRAM

The conference agreement provides $10,000,000 as proposed by the House instead of $5,000,000 as proposed by the Senate.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

The conferees agree to provide $10,738,000 as proposed by the House and Senate.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The conferees agree to provide $119,498,000 as proposed by the House instead of $118,748,000 as proposed by the Senate. Of this amount, the conferees agree to provide $750,000 for continuation of the retirement readiness project. The conferees also agree to provide $135,914,000 as a limitation on administrative expenses to be transferred from the appropriate trust funds, as proposed by the Senate, rather than $126,854,000 as proposed by the House.

FRANKLIN/HAMPSHIRE/HAMPDEN COUNTIES, MASSACHUSETTS

The conferees are aware that the Federal Salary Council has recommended that Franklin, Hampshire and Hampden counties, Massachusetts, be included into the Hartford Locality Pay Area. The conferees are concerned about the difficulties some Federal agencies have documented in retaining and attracting Federal employees in the Connecticut River Valley. Accordingly, the conferees direct OPM to consider the implementation of the Federal Salary Council's recommendation to include Franklin, Hampshire and Hampden counties into the Hartford Locality Pay Area.

OFFICE OF INSPECTOR GENERAL

The conferees agree to provide $1,498,000 as proposed by the House and Senate.

HUMAN CAPITAL PERFORMANCE FUND

The conferees agree to provide $1,000,000, instead of $2,500,000 as proposed by the House and no funds as proposed by the Senate.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

The conferees agree to provide $13,504,000 as proposed by the House and Senate.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

The conferees agree to provide $65,521,000, as proposed by the House and Senate. Of this amount $36,521,000 is provided as an advance appropriation for free mail for the blind and overseas voters. The conferees include $29,000,000 for prior year reimbursement shortfalls.

POSTAL FACILITY CONSTRUCTION

The conferees are aware that the Postal Service has had a freeze on construction of new postal facilities since 2001. The conferees are also aware that some areas are in desperate need of a new facility, and that some facilities are in dire need of renovation. The conferees direct the Postal Service to evaluate these needs and report within 90 days of the enactment of this Act on localities that require a new postal facility, the current conditions of post offices in need of renovation, and when a new facility or replacement will be built.

TINTON FALLS, NEW JERSEY

The conferees are concerned about the postal needs of the citizens of Tinton Falls, New Jersey. Although Tinton Falls was placed among the top priority postal construction projects in line to receive funding in 1996, funding constraints stopped all construction of new facilities for several years. The conferees recommend that the Postal Service carefully consider the significant need for a new facility in Tinton Falls, and direct the Postal Service to report to the Committees on Appropriations on this matter no later than 90 days after the enactment of this Act.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

The conferees agree to provide $40,187,000 as proposed by the House and Senate.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

The conferees agree to provide $250,000 as proposed by the House and Senate.

TITLE V—GENERAL PROVISIONS

THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

Section 501 allows funds to be used for aircraft; motor vehicles; liability insurance; uniforms; or allowances, as authorized by law.

Section 502 requires pay raises to be funded within appropriated levels.

Section 503 limits appropriations for services authorized by 5 U.S.C. 3109 to the rate for an Executive Level IV.

Section 504 continues the provision prohibiting funds in this Act for salaries and expenses of more than 106 political and Presidential appointees in the Department of Transportation, and prohibits political and Presidential personnel to be assigned on temporary detail outside the Department of Transportation.

Section 505 prohibits pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 506 prohibits obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided.

Section 507 limits consulting service expenditures in procurement contracts to those of public record.

Section 508 prohibits funds for the implementation of section 404 of title 23, USC.

Section 509 continues the provision prohibiting recipients of funds made available in this Act to release personal information, including a social security number, medical or disability information, and photographs from a driver's license or motor vehicle record without express consent of the person to whom such information pertains; and prohibits the Secretary from withholding funds provided in this Act for any grantee if a state is in noncompliance with this provision.

Section 510 allows funds received by the Federal Highway Administration, Federal Transit Administration, and the Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training to be credited to each agency's respective accounts.

Section 511 authorizes the Secretary of Transportation to allow issuers of any preferred stock to redeem or repurchase preferred stock sold to the Department of Transportation.

Section 512 continues the provision prohibiting funds in this Act unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than three full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administration.

Section 513 defines the city of Norman, Oklahoma, as part of the Oklahoma City Transportation Management Area.

Section 514 prohibits funds for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 515 prohibits funds in this Act to be transferred without express authority.

Section 516 allows funds received from certain sources to be credited to appropriations using fair and equitable criteria.

Section 517 reduces the Transportation Working Capital Fund by $17,816,000.

Section 518 includes a new provision allowing that amounts from improper payments to a third party contractor that are lawfully recovered by the Department of Transportation shall be available to cover expenses incurred in recovery of such payments.

Section 519 authorizes the transfer of unexpended sums from "Office of the Secretary, Salaries and expenses" to "Minority Business Outreach."

Section 520 is a limitation involving section 307 of the Tariff Act of 1930.

Section 521 modifies a Senate provision regarding stadium overflights.

Section 522 concerns the employment rights of Federal employees who return to their civilian jobs after assignment with the Armed Forces.

Section 523 requires entities receiving funds to comply with the "Buy America Act".

Section 524 is a sense of the Congress regarding the purchase of American-made equipment and products and requires the Secretary of the Treasury to provide a notice describing to all recipients of Federal assistance.

Section 525 regards the ineligibility of persons found guilty of violating "Made in America" labeling provisions from receiving funds.

Section 526 provides that fifty percent of unobligated balances may remain available for certain purposes.

Section 527 restricts the use of funds for the White House to request official background reports without the written consent of the subject individual.

Section 528 exempts contracts under FEHBP from certain cost accounting standards.

Section 529 regards travel by the Office of Personnel Management (OPM) with respect to non-foreign area cost of living allowances and allows OPM to accept and utilize, without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act, funds made available pursuant to court approval.

Section 530 prohibits the use of funds by any person or entity convicted of violating the Buy American Act.

Section 531 prohibits FEHBP funds from being used to cover an abortion.

Section 532 disallows the previous section if the life of the mother is at risk or in the case of rape or incest.

Section 533 outlines the guidelines for the reprogramming of funds in the Act.

Section 534 limits funding for traffic signs in a language other than English.

Section 535 exempts from certain procurement limitations commercially available information technology.

Section 536 provides a sense of the House of Representatives that empowerment zones within cities should have the necessary flexibility to expand to include relevant communities so that empowerment zone benefits are equitably distributed.

Section 537 provides a sense of the House of Representatives that all census tracts contained in an empowerment zone, either fully or partially, should be equitably accorded the same benefits.

Section 538 prohibits the use of funds for a proposed rule by Treasury relating to the determination that real estate brokerage is a financial activity.

Section 539 provides a sense of Congress that the Department of Transportation should consider programs to reimburse certain airports for financial losses due to Government actions subsequent to the terrorist actions of September 11, 2001.

Section 540 provides a sense of the House of Representatives that public private partnerships could help eliminate some cost drivers on certain highway and transit projects.

Section 541 extends the Breast Cancer Stamp authorization (39 USC 414 (h)) until 2005.

Section 542 restricts funds regarding rules and regulations concerning travel agent service fees.

Section 543 allows the transfer of Nixon Administration Presidential records and materials outside the Washington, D. C. metropolitan area, subject to the control of the Archivist and consistent with current laws governing the transfer and storage of Presidential records.

Section 544 amends the Oklahoma City National Memorial Act of 1997.

Section 545 redesignates unobligated funds from Public Law 102–240 and Public Law 105–178 to carry out existing bridge and ferry projects.

Section 546 amends Section 345(6), Division I, Public Law 108–7.

Section 547 makes certain projects and activities eligible to receive fiscal year 2004 grants.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Section 601 authorizes agencies to pay costs of travel to the United States for the immediate families of Federal employees assigned to foreign duty in the event of a death or a life threatening illness of the employee.

Section 602 requires agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 603 regards price limitations on vehicles to be purchased by the Federal Government.

Section 604 allows funds made available to agencies for travel, to also be used for quarters allowances and cost-of-living allowances.

Section 605 prohibits the government, with certain specified exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental U.S.

Section 606 ensures that agencies will have authority to pay GSA bills for space renovation and other services.

Section 607 allows agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 608 provides that funds may be used to pay rent and other service costs in the District of Columbia.

Section 609 prohibits payments to persons filling positions for which they have been nominated after the Senate has voted not to approve the nomination.

Section 610 prohibits interagency financing of groups absent prior statutory approval.

Section 611 authorizes the Postal Service to employ guards and give them the same special police powers as other Federal guards.

Section 612 prohibits the use of funds for enforcing regulations disapproved in accordance with the applicable law of the U.S.

Section 613 limits the pay increases of certain prevailing rate employees.

Section 614 limits the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 615 allows for interagency funding of national security and emergency telecommunications initiatives.

Section 616 requires agencies, with exceptions, to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 617 requires agencies to administer a policy designed to ensure that all workplaces are free from discrimination and sexual harassment.

Section 618 prohibits the payment of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 619 prohibits Federal training not directly related to the performance of official duties.

Section 620 prohibits the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included.

Section 621 prohibits propaganda, publicity and lobbying by executive agency personnel in support or defeat of legislative initiatives.

Section 622 prohibits any Federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 623 prohibits funds from being used to provide nonpublic information such as mailing or telephone lists to any person or organization outside the government without the approval of the Committees on Appropriations.

Section 624 prohibits the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 625 directs agency employees to use official time in an honest effort to perform official duties.

Section 626 authorizes the use of funds to finance an appropriate share of the Joint Financial Management Improvement Program.

Section 627 authorizes agencies to transfer funds to GSA to finance an appropriate share of the Joint Financial Management Improvement Program, et al.

Section 628 prohibits the use of funds to limit the options of federal agencies in selecting the online employment information service of their choice.

Section 629 permits breast-feeding in a Federal building or on Federal property if the woman and child are authorized to be there.

Section 630 permits interagency funding of the National Science and Technology Council and provides for a report on the

budget and resources of the National Science and Technology Council.

Section 631 requires documents involving the distribution of Federal funds to indicate the agency providing the funds and the amount provided.

Section 632 extends the authorization for franchise fund pilots for one year in order to allow the Administration to evaluate their results and make a decision regarding permanent authority.

Section 633 prohibits the use of funds to monitor personal information relating to the use of Federal Internet sites to collect, review, or create any aggregate list that includes personally identifiable information relating to access to or use of any federal Internet site of such agency.

Section 634 requires health plans participating in the FEHBP to provide contraceptive coverage and provides exemptions to certain religious plans.

Section 635 provides recognition of the U.S. Anti-Doping Agency as the official anti-doping agency.

Section 636 requires a report by the Inspector Generals detailing policies and procedures for implementing portions of the Rural Development Act, 1972.

Section 637 prohibits funds made available in this or any other Act from being used to purchase goods or services from Federal Prison Industries, Inc., unless such goods or services provide the best value.

Section 638 requires each agency to evaluate the creditworthiness of an individual before issuing the individual a specific charge card.

Section 639 allows the extension of the Federal Election Commission's administrative fine program for two years.

Section 640 requires that the adjustment in rates of basic pay for the statutory pay systems that takes effect in fiscal year 2004 shall be an increase of 4.1 percent.

Section 641 allows for the timely filing of reports with the Federal Election Commission using overnight delivery, priority, or express mail.

Section 642 allows funds appropriated for official travel to participate in the fractional aircraft ownership pilot program.

Section 643 restricts the ability of federal agencies to construct or lease federal law enforcement training facilities except with Congressional approval.

Section 644 prohibits the use of funds to implement or enforce regulations for locality pay areas that are inconsistent with Federal Salary Council recommendations.

Section 645 requires a report from each Federal agency on acquisitions from entities that manufacture the articles, materials, or supplies outside of the United States.

Section 646 prohibits OPM from using any funds to implement the proposed regulations relating to the detail of executive branch employees to the legislative branch, with technical modifications.

Section 647 prohibits the use of funds to convert an activity or function of an Executive agency to contractor performance, with certain exceptions.

Section 648 provides for the funding of airport operations at Midway Atoll Airfield.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2003	$44,637,545
Budget estimates of new (obligational) authority, fiscal year 2004	45,507,343
House bill, fiscal year 2004	45,553,216
Senate bill, fiscal year 2004	46,276,508
Conference agreement, fiscal year 2004	45,267,993
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2003	+630,448
Budget estimates of new (obligational) authority, fiscal year 2004	−239,350
House bill, fiscal year 2004	−285,223
Senate bill, fiscal year 2004	−1,008,515

DIVISION G—DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS

The language and allocations set forth in House Report 108–235 and Senate Report 108–143 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference and Senate report language which is not changed by the conference is approved by the committee of the conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

OPERATING PLAN AND REPROGRAMMING PROCEDURES

The conferees continue to have a particular interest in being informed of reprogrammings which, although they may not change either the total amount available in an account or any of the purposes for which the appropriation is legally available, represent a significant departure from budget plans presented to the Committees in an agency's budget justifications, the basis of this appropriations Act.

Consequently, the conferees direct the departments, agencies, boards, commissions, corporations and offices funded at or in excess of $100,000,000 in this bill, to consult with the Committees on Appropriations in both the House and Senate prior to each change from the approved budget levels in excess of $500,000 between programs, activities, object classifications or elements unless otherwise provided for in the statement of the managers accompanying this Act. For agencies, boards, commissions, corporations and offices funded at less than $100,000,000 in this bill, the reprogramming threshold shall be $250,000 between programs, activities, object

classifications or elements unless otherwise provided for in the statement of the managers accompanying this Act. Additionally, the conferees expect the Committees on Appropriations to be promptly notified of all reprogramming actions which involve less than the above-mentioned amounts. If such actions would have the effect of significantly changing an agency's funding requirements in future years, or if programs or projects specifically cited in the statement of the managers or accompanying reports of the House and Senate are affected by the reprogramming, the reprogramming must be approved by the Committees on Appropriations regardless of the amount proposed to be moved. Furthermore, the conferees direct that the Committees on Appropriations be consulted regarding reorganizations of offices, programs, and activities prior to the planned implementation of such reorganizations.

The conferees also direct that the Departments of Veterans Affairs and Housing and Urban Development, as well as the Corporation for National and Community Service, the Environmental Protection Agency, the National Aeronautics and Space Administration, the National Science Foundation, the Consumer Product Safety Commission, and the Chemical Safety and Hazard Investigation Board shall submit operating plans, signed by the respective secretary, administrator, or agency head, for review by the Committees on Appropriations of both the House and Senate within 60 days of enactment of this Act. Other agencies within this Act should continue to submit operating plans consistent with prior year policy, or as directed in this statement of the managers.

The conferees reiterate language proposed by the House regarding the Committees' longstanding position that while the Committees reserve the right to call upon all offices in the departments, agencies, boards, and commissions, access to the budget offices is essential.

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

In addition to the directives above, the conferees direct that no changes may be made to any account or objective, except as approved by the Committees, if it is construed to be policy or change in policy. It is the intent of the conferees that all carryover funds in the various appropriations accounts are subject to the normal reprogramming requirements outlined above. The Department is directed to notify the Committees on Appropriations should the loan limitation of any program administered by the Department be met or exceeded.

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $29,845,127,000 for compensation and pensions as proposed by both the House and the Senate, of which not more than $17,056,000 is to be transferred to general operating expenses and medical services.

READJUSTMENT BENEFITS

Appropriates $2,529,734,000 for readjustment benefits as proposed by both the House and the Senate.

VETERANS INSURANCE AND INDEMNITIES

Appropriates $29,017,000 for veterans insurance and indemnities as proposed by both the House and the Senate.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates such sums as may be necessary for costs associated with direct and guaranteed loans from the veterans housing benefit program fund program account as proposed by both the House and the Senate, plus $154,850,000 to be transferred to and merged with general operating expenses.

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,000 for the costs of direct loans from the education loan fund program account as proposed by both the House and the Senate, plus $70,000 to be transferred to and merged with general operating expenses.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $52,000 for the costs of direct loans from the vocational rehabilitation loans program account as proposed by both the House and the Senate, plus $300,000 to be transferred to and merged with general operating expenses.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $571,000 for administrative expenses of the native American housing loan program account to be transferred to and merged with general operating expenses as proposed by both the House and the Senate. Provides a loan limitation of $50,000,000 for the program instead of $40,000,000 as proposed by the House. The Senate did not provide a loan limitation for this program.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

Provides up to $600,000 of the funds available in medical services and general operating expenses to carry out the guaranteed transitional housing loans for homeless veterans program instead of $350,000 as proposed by the House and $750,000 as proposed by the Senate. Retains the reporting requirement regarding the status of the loan program as proposed by the Senate. The conferees are concerned that this program simply does not meet the needs of the organizations for which it is intended.

VETERANS HEALTH ADMINISTRATION

The conferees have agreed to provide total resources of $28,569,220,000 to fund the various operating programs of the Veterans Health Administration (VHA), an increase of $1,570,000,000 over the appropriation request level. None of the funds are contingent upon an emergency declaration. Further, the conferees have agreed to fund VHA through a new account structure comprised of four accounts: medical services, medical administration, medical facilities, and medical and prosthetic research. The conferees have taken this action to provide better oversight and receive a more accurate accounting of funds.

MEDICAL SERVICES

Provides $17,867,220,000 to finance medical services for all veterans and beneficiaries in VA, State, and contract medical facilities.

Deletes bill language proposed by the House and the Senate delaying the availability of funds.

Retains bill language making $1,100,000,000 available until September 30, 2005, as proposed by the Senate.

Retains bill language providing the Secretary with the authority to establish a priority system for veterans seeking medical care as proposed by the Senate. The House included similar authority as an administrative provision.

Retains bill language proposed by the Senate allowing the Secretary to give priority to medical services for priority 1–6 veterans. The House instead proposed a separate account for priority 1–6 veterans.

Retains bill language allowing the transfer of up to $400,000,000 to the construction, major projects account for the purposes of implementing Capital Asset Realignment for Enhanced Services (CARES) recommendations as proposed by the Senate. The conferees direct the VA to notify the Committees on Appropriations prior to the transfer of funds for this purpose as stated in Senate Report 108–143.

Modifies bill language proposed by the Senate allowing the Secretary to fill privately written prescriptions from VA facilities for designated veterans. The conferees agree that such benefit should not result in additional cost to the VA. The House did not include a similar provision. The conferees direct the Secretary to collect and independently verify data on the costs and benefits of this new drug benefit and submit a report to the Committees on Appropriations by March 2, 2004, detailing the number of veterans who would utilize such benefit, as well as costs or savings to the VA.

Moves bill language proposed by the Senate in medical care directing the Secretary to conduct a recovery audit program. Instead, the conference agreement includes the provision under administrative provisions as proposed by the House.

Moves bill language proposed by the Senate transferring the balances from the medical care collections fund into medical care for the purposes of that account. Instead, the conference agreement

includes a similar provision as a separate section under administrative provisions.

Reiterates report language included in House Report 108–235 directing the establishment of two Mental Illness Research, Education and Clinic Centers.

Reiterates language included in Senate Report 108–143 directing VA to collaborate fully with the Department of Defense in the VET-HEAL program.

The conferees encourage the VA to continue developing collaborative agreements with medical schools at Historically Black Colleges and Universities and minority serving institutions in the areas of research, residency programs and the delivery of health care services.

The conferees strongly encourage the Department to pursue aggressively new technologies available for diagnosing colorectal cancer which are less invasive, less expensive and provide equal or better patient evaluations than older methods.

The conferees urge the Department to provide by April 2, 2004, information on VA compliance rates with VHA Directive 2003–017, the treatment of Acute Myocardial Infarction (AMI), and an evaluation of FDA-approved technologies which could assist doctors in meeting the goals of that directive.

MEDICAL ADMINISTRATION

Appropriates $5,000,000,000 for the expenses of the headquarters offices of the Veterans Health Administration as well as the costs of Veterans Integrated Service Network (VISN) offices and facility directors, all information technology hardware and software, legal services, billing and coding activities, procurement, and related activities.

Includes language allowing $150,000,000 of the funds to be available until September 30, 2005.

The conferees agree that the Department must continue research oversight activities at a level not less than directed in the fiscal year 2003 appropriations Act. Further, the conferees reiterate the language contained in House Report 108–235 regarding the reporting and consulting requirements of the oversight board.

The conferees are concerned that the realignment recommendations of the CARES Commission may lead to a reduction in long-term care, domiciliary care, and mental health services. The VA is expected to expedite the strategic planning process for these services. Based on the Secretary's statements the conferees urge that no closures or reduction in long-term care, domiciliary care, and mental health services will take place until the full analysis is completed. The VA should submit updates on their progress in this effort to the Committees on Appropriations.

The conferees encourage the VA to consider all travel issues, such as road conditions, number of lanes on access highways, and seasonal changes in and other factors relating to the weather, in any analysis on the future needs of veterans health care. Further, the CARES Commission should give as much attention to solving the special needs of veterans who live in rural areas as it does to providing for the health care needs of veterans living in more highly populated areas and include in its recommendations investments

and initiatives to achieve the Department's accessibility standard for primary health care in rural and highly-rural health care markets.

The conferees recognize the benefits of and the need to have CARES-related hearings within 30 miles of all facilities facing closure or a significant realignment of services, as well as the need for veterans participation at these hearings. The VA is encouraged to hold hearings in all affected communities following the Secretary's final recommendation.

Finally, the conferees direct the Secretary, prior to implementing any facility closure as recommended in the final CARES plan, to develop recommendations for future use of such facilities (including, but not limited to, enhanced-use lease opportunities and clinics) and submit a report to the House and Senate Committees on Appropriations on the recommendations for each facility.

To ensure improved security, greater control, and unified manageability of information technology systems, the conferees direct the VA to consolidate critical applications including all business/corporate applications, messaging, office automation, and relevant medical systems applications at no more than six sites nationwide for the purpose of providing business continuity capabilities between each site to ensure continuity of operations of mission critical VA activities.

MEDICAL FACILITIES

Appropriates $4,000,000,000 for the operation, maintenance and security of VHA's capital infrastructure. Included under this heading are provisions for the costs associated with utilities, engineering, capital planning, leases, laundry and food services, grounds keeping, garbage, housekeeping, facility repair, and property disposition and acquisition. None of the funds for the land and structures object classifications are subject to delay.

Inserts new language allowing $150,000,000 of the funds to be available until September 30, 2005.

The conferees direct the Secretary of Veterans Affairs to make the North Chicago VA Medical Center available to the Navy to the maximum extent feasible, including the modification of its surgical suites. The conferees also direct the Secretary to finalize, in consultation with the Secretary of the Navy, site selection for a new joint Navy/VA ambulatory care center to serve both veterans and active duty naval personnel in this community. The conferees urge the Secretary to study the placement of the clinic adjacent to the North Chicago VA Medical Center. The Secretary shall report to the Committees on Appropriations on the site selection and progress on the surgical suite and urgent care modifications by July 30, 2004.

The conferees are aware of a pending enhanced-use lease agreement between the Department of Veterans Affairs and the City of Fort Thomas, Kentucky for twelve residential buildings. The conferees direct the Secretary, prior to executing the enhanced-use lease agreement, to offer to transfer one of the residential properties to the U.S. Army Corps of Engineers to be used as the residence for the Commander of the Great Lakes and Ohio River Division, if the Secretary determines it is cost-beneficial to the Depart-

ment. As a condition of the transfer, the U.S. Army Corps of Engineers will assume responsibility and costs for all utilities and all related access issues of the transferred property, and property compliance with City historic preservation codes and any residential association regulations. Further, the U.S. Army Corps of Engineers will grant an access easement to recognize the existing alley that is used for vehicular access to the adjacent properties.

MEDICAL AND PROSTHETIC RESEARCH

Appropriates $408,000,000 for medical and prosthetic research as proposed by the House instead of $413,000,000 as proposed by the Senate. The conferees direct the continued partnership with the National Technology Transfer Center at the current level of effort.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

Appropriates $1,283,272,000 for general operating expenses as proposed by both the House and Senate.

Provides not less than $1,005,000,000 for the Veterans Benefits Administration (VBA) as proposed by the House instead of $1,004,704,000 as proposed by the Senate.

Provides two-year availability for $66,000,000 as proposed by the House instead of $64,000,000 as proposed by the Senate.

Deletes the travel limitation proposed by the House. The Senate did not include a travel limitation.

The conferees direct VA to proceed with information technology initiatives supporting the Department's enterprise architecture and continuity of operations capabilities and direct that not less than $25,000,000 be allocated for these activities Department-wide.

The conferees encourage the Department to undertake the conversion of paper claims at the VBA to a digital format consistent with the paperless claim initiative.

NATIONAL CEMETERY ADMINISTRATION

Appropriates $144,203,000 for the National Cemetery Administration as proposed by the Senate instead of $144,223,000 as proposed by the House. Provides two-year obligation authority for $7,200,000 of the appropriated funds as proposed by the Senate instead of one-year availability for all funds as proposed by the House.

The conferees strongly urge the Department to continue efforts at the Johnson's Island Cemetery in Sandusky, Ohio to determine if veterans are interned under a roadway bordering the cemetery and report back to the Committees on Appropriations of their findings.

OFFICE OF INSPECTOR GENERAL

Appropriates $62,000,000 for the Office of Inspector General instead of $62,250,000 as proposed by the Senate and $61,750,000 as proposed by the House.

CONSTRUCTION, MAJOR PROJECTS

Appropriates $272,690,000 for construction, major projects as proposed by the Senate instead of $274,690,000 as proposed by the House. The conferees have included bill language proposed by the Senate which defines a major construction project as one where the estimated cost is more than the amount set forth in 38 U.S.C. 8104(a)(3)(A), instead of a definite dollar amount as proposed by the House. The conferees are aware that the authorizing committees of jurisdiction have legislation pending which would raise the current $4,000,000 project threshold and have referenced the appropriate citation in lieu of a dollar amount in anticipation of new legislation.

The conference agreement includes $181,000,000 to support construction projects supporting recommendations of the CARES plan, instead of $173,000,000 as proposed by the House and $183,000,000 as proposed by the Senate. Additional recommendations of the conferees are as follows:

Description	House Report 108–235	Senate Report 108–143	Conference Agreement
CARES	$173,000,000	$183,000,000	$181,000,000
VHA Advance Planning Fund	25,000,000	15,000,000	15,000,000
VHA Asbestos	5,000,000	5,000,000	5,000,000
VHA Claims	2,000,000	2,000,000	2,000,000
VHA Judgment	10,000,000	10,000,000	10,000,000
VHA Hazardous Waste	1,000,000	1,000,000	1,000,000
VBA	271,000	271,000	271,000
NCA Phase I Development: Detroit, MI	8,700,000	8,700,000	8,700,000
NCA Expansion: Ft. Snelling, MN	24,800,000	24,800,000	24,800,000
NCA Expansion: Barrancas, FL	12,000,000	12,000,000	12,000,000
NCA Design Funds	6,000,000	6,000,000	6,000,000
NCA Advance Planning Fund	4,919,000	2,919,000	4,919,000
Staff Offices	2,000,000	2,000,000	2,000,000

The conferees direct continued efforts and planning to co-locate the Denver VA Medical Center with the University of Colorado Hospital and a Department of Defense medical facility at the Fitzsimmons campus.

The conference agreement does not include specific planning funds for a clinic at the Defense Supply Center due to a lack of authorization, but the conferees encourage the Secretary of Veterans Affairs to continue working with the Secretary of Defense to identify a suitable construction site in anticipation of future project authorization.

The conferees direct the Secretary of Veterans Affairs to continue the current development of a cemetery annex on property transferred from the Miramar Naval Air Station.

The conferees reiterate language included in Senate Report 108–143 and House Report 108–235 regarding the disposal of the Lakeside VA Medical Center, full funding for implementation of the CARES recommendations, public-private partnerships for new facility construction, a requirement that the Department submit a comprehensive CARES plan, and the requirement that all construction be consistent with CARES or the national cemetery studies.

CONSTRUCTION, MINOR PROJECTS

Appropriates 252,144,000 for construction, minor projects as proposed by both the House and the Senate. The conferees have included bill language proposed by the Senate which defines a minor construction project as one where the estimated cost is equal to or less than the amount set forth in 38 U.S.C. 8104(a)(3)(A), instead of a definite dollar amount as proposed by the House. The conferees are aware that the authorizing committees of jurisdiction have legislation pending which would raise the current 4,000,000 project threshold and have referenced the appropriate citation in lieu of a dollar amount in anticipation of new legislation.

The conference agreement provides up to 40,000,000, instead of 35,000,000 as proposed by the House and 42,000,000 as proposed by the Senate, for construction projects implementing CARES recommendations, to be available upon notification of and approval by the Committees on Appropriations.

The conferees strongly urge the Department to allocate a greater percentage of its construction budget for quality and safety improvements to research facilities.

The conferees reiterate language contained in House Report 108–235 regarding the requirement that all VA construction be consistent with CARES or the national cemetery studies, project approval by a central VA capital review board, and Deputy Secretary approval for any group of projects where the total costs exceed the major/minor construction threshold.

The conferees direct the Department to proceed with the planned acquisition and development of a parking lot at the St. Louis VA Medical Center, John J. Cochran Division, using appropriations previously provided for in construction, minor projects. The Department is encouraged to explore the possibility of an enhanced-use lease partnership to establish a structured parking facility on the site.

PARKING REVOLVING FUND

The conference agreement does not include the House proposal for a separate parking revolving fund account. Rather, the conferees have agreed to the administrative provision proposed by the Senate which deposits receipts from the parking revolving fund into the medical care collections fund for medical services. Authority for construction or alteration of a parking facility is now included under the construction, major projects and construction, minor projects accounts.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

Appropriates $102,100,000 for grants for construction of state extended care facilities as proposed by both the House and the Senate.

The conferees encourage the Department to work with the State of New Jersey as that state applies for a grant.

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

Appropriates $32,000,000 for grants for construction of state veterans cemeteries as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

Retains the first twelve administrative provisions which were carried in both the House and Senate bills, and which have been carried in previous years.

Retains the provision proposed by the Senate allowing the Department to reimburse the Office of Resolution Management up to $29,318,000 and the Office of Employment Discrimination Complaint Adjudication up to $3,059,000 from fiscal year 2004 salary and expenses accounts.

Retains the provision proposed by the House providing $25,000,000 of VA's total information technology budget for enterprise architecture activities under the Office of the Chief Information Officer.

Retains the provision proposed by the Senate regarding implementation of Public Law 107–287 by prohibiting funds for implementation of section 2 and section 5.

Deletes the provision proposed by the House allowing the Secretary to establish a priority system for veterans seeking medical services. The conference agreement instead includes in medical services a similar provision proposed by the Senate in medical care.

Retains the provision proposed by the Senate merging various receipt accounts of the Department of Veterans Affairs into the Medical Care Collections Fund.

Retains the provision proposed by the House directing the Secretary to conduct a recovery audit program.

Retains the provision proposed by the Senate allowing the Secretary to transfer enhanced-use lease revenue from the Medical Care Collections Fund to the construction accounts.

Retains the provision proposed by the House allowing the Secretary to furnish recreation services and pay funeral expenses. The Senate proposed an almost identical provision under medical care.

Modifies the provision transferring all balances in the medical care collections fund to medical services. Both the House and Senate included provisions transferring the receipts from the medical care collections fund to medical accounts in different parts of the bill.

Modifies language proposed by the House allowing the transfer of funds between Veterans Health Administration accounts.

Deletes without prejudice language proposed by the House renaming the Houston VAMC. The conferees defer to the jurisdiction of the relevant authorizing committees.

Deletes the provision proposed by the House directing the Secretary to report on sharing agreements with the Department of Defense. Report language is instead included under the medical facilities account.

Inserts a provision directing VA to implement the revised VHA account structure within 90 days of enactment and to submit the fiscal year 2005 budget justification using the account structure included in this Act.

Inserts a provision rescinding $270,000,000 of prior year funds from medical care. This funding is re-appropriated to medical serv-

ices. The Senate proposed an identical provision under medical care.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The conferees restate the reprogramming requirements with respect to amounts approved for each appropriations account within this title. The Department must limit the reprogramming of funds between the programs, projects, and activities within each account to not more than $500,000 without prior approval of the Committees on Appropriations. Unless otherwise identified in this statement of managers or committee reports, the most detailed allocation of funds presented in the budget justifications shall be considered to be approved, with any deviation from such approved allocation subject to the normal reprogramming requirements outlined above. Further, it is the intent of the conferees that all carryover funds in the various accounts, including recaptures and deobligations, are subject to the normal reprogramming requirements outlined above. Further, no changes may be made to any program, project, or activity if it is construed to be policy or a change in policy, without prior approval of the Committees. Finally, the conferees expect to be notified regarding reorganizations of offices, programs or activities prior to the planned implementation of such reorganizations, as well as be notified, on a monthly basis, of all ongoing litigation, including any negotiations or discussions, planned or ongoing, regarding a consent decree between the Department and any other entity.

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

Appropriates $19,371,481,762 instead of $18,580,606,000 as proposed by the House and $18,433,606,000 as proposed by the Senate. This amount is $2,259,868,941 over the amounts provided in fiscal year 2003 and represents a 13.2 percent increase. The conference agreement does not include language proposed by the Senate to require the Secretary to make available other funds should funds provided be insufficient.

In lieu of any direction included in the House and Senate reports, unless otherwise provided for below, the Department is directed to use the guidance set forth below in administering the programs under this account in fiscal year 2004.

The conference agreement includes language to allocate funds among the various activities as follows:

Renewals.—The conference agreement provides a total of $17,635,130,745 for renewals of section 8 vouchers, section 8 project-based assistance, and moderate rehabilitation contracts, instead of $16,445,578,000 as proposed by the House and $16,202,616,000 as proposed by the Senate. The amount provided represents a $2,467,419,924, or 16 percent, increase over the fiscal year 2003 level for renewals.

Pursuant to the budget request, the conference agreement assumes funding for project-based section 8 contract amendment needs in fiscal year 2004 will be met through recaptures.

The conferees are concerned about the spiraling increase in the cost of providing assistance under the voucher program. The conferees are aware that the national average cost per voucher has increased at a rate of more than double the average increase in the private rental market in each of the last two years, including a 10 percent increase in 2002 and an additional estimated 9 percent increase in 2003. At the same time, the rental housing market has softened. The conferees are aware that the Secretary has the administrative authority to control the rapidly rising costs of renewing expiring annual contributions contracts (ACC), including the budget based practice of renewing expiring ACCs, and expect the Secretary to utilize these tools.

Because of the alarming increases to the cost of rents under the section 8 tenant-based program the conferees direct HUD to report to the House and Senate Committees on Appropriations by July 31, 2004, on the underlying reasons for these annual increases in the average costs of section 8 rents. While the conferees support efforts by PHAs to increase their utilization of vouchers to serve additional families, PHAs must manage their programs in a prudent manner to maximize the number of families served. Therefore, the report needs to (1) identify all the laws, regulations and policies that currently govern the setting of voucher rents; (2) review the implementation of these laws, regulations and policies by public housing agencies and HUD in areas where the voucher rents appear to be inconsistent with the cost of comparable housing in the unsubsidized rental housing market; (3) the costs associated with such laws, regulations and policies; and (4) recommendations to maximize the delivery of assistance under the section 8 program.

Language proposed by the Senate is not included to limit the contract terms for renewals under the Emergency Low Income Housing Preservation Act of 1987 (ELIHPRA) and the Low Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPRA). The House did not propose a similar provision. To the extent that the renewal of such contracts is in the best interest of the Federal government, the Department may enter into contract terms consistent with other project-based programs. However, the conferees direct that funding for such renewals be limited to a one-year term as required in the annual appropriations Act.

Language is included, modified from language proposed by the House and Senate, to renew expiring section 8 tenant-based annual contributions contracts for each public housing agency based on the total number of unit months reported under lease by the PHA on its most recent end-of-year financial statement or as adjusted by such additional information submitted by the PHA as of August 1, 2003, and by applying an inflation factor based on local or regional inflation factors to the actual per unit cost.

Language is included as proposed by the House prohibiting funds from being used to support a total number of unit months under lease which exceeds a PHA's authorized level of units under contract, instead of language proposed by the Senate authorizing funds to be used to fund over-leased units under certain conditions.

The conferees direct the Department to allow maximum flexibility under the law in order to allow PHAs to be temporarily over-issued and/or over-leased due to efforts to reach full leasing. While PHAs may become temporarily over-leased, they may not, at any time, exceed their total unit month allocation (12 months times total number of authorized vouchers) for its fiscal year.

If a PHA over-issues and over-leases vouchers to such an extent that it exceeds its total unit month allocation for its fiscal year, the Department shall take any appropriate action to ensure that funding for such over-leasing does not occur, including the recapture or withholding of funds. In addition, the Department may take whatever administrative actions are available to it to reprimand or sanction PHAs that have over-issued or over-leased in a manner that displays a negligent or intentional disregard for the limits on voucher renewals and leasing set by the Congress.

The conferees understand that during 2003 some PHAs over-issued and over-leased vouchers to a level that exceeds their maximum total unit month allocation. The conferees expect such PHAs to take all actions necessary to stay within their fiscal year 2004 total unit month allocation and direct the Department to ensure compliance with such limitation. In the interim, such PHAs may use balances derived from funds provided prior to fiscal year 2003 that remain in their administrative fee reserves and program reserves, if necessary, to ensure that currently housed families may continue to use their section 8 vouchers. However, in no case shall funds derived from fiscal year 2003 appropriations or funds provided in this Act be used for such purpose.

Central Reserve Fund.—$136,846,017 for a central reserve fund instead of $568,503,000 as proposed by the House and $461,329,000 as proposed by the Senate. Modified language is included to allow the Secretary to use the Central Fund, as necessary, for additional units not under lease on August 1, 2003, but not to exceed the authorized contracted level. Language proposed by the House and Senate is not included to allow the Central Fund to also be used for increased per unit costs as such costs have been reflected in the amount provided for renewals.

Language is included as proposed by the House prohibiting funds made available in the central fund from being used to support a total number of units under lease in excess of a PHA's authorized level of units. The Senate proposed language to require the Secretary to make available funds for additional units under lease to maintain a PHA's authorized voucher level throughout the year, including turnover and reissued vouchers is not included. In addition, language proposed by the Senate requiring the Secretary to make available other funds should the amount provided be insufficient to maintain such a level is not included.

Language proposed by the Senate is not included authorizing the Secretary to use up to $36,000,000 from the central fund for incremental vouchers for non-elderly and disabled families impacted by elderly-only designations in public housing. The House did not include similar language.

Modified language is included, similar to language proposed by the House, requiring the Secretary to submit quarterly reports to the Committees on Appropriations on the obligation of funds pro-

vided in the central fund. Such report shall include the following: the amounts made available from the central fund provided for additional units not under lease as of August 1, 2003, delineated by PHA, and the total balance remaining in the fund. The first such report is due no later than May 1, 2004.

Tenant Protection.—$206,495,000 for rental subsidies for tenant protection activities to replace project-based section 8 assistance with section 8 vouchers, for conversion of section 202 and section 23 projects to section 8 assistance, for the family reunification program and for the witness protection program, as proposed by the House instead of $252,203,000 as proposed by the Senate.

Family Self Sufficiency Coordinators.—$48,000,000 for service coordinator staff in each public housing agency as proposed by the House, instead of $72,000,000 as proposed by the Senate.

Administrative Costs—Section 8 Voucher Program.—Not to exceed $1,242,000,000 for PHA administrative costs and other expenses, instead of $1,209,020,000 as proposed by the House and $1,339,448,400 as proposed by the Senate.

In lieu of language proposed by the Senate to allocate funds pursuant to the formula specified in section 8(q) of the United States Housing Act of 1937 and language proposed by the House giving the Secretary the flexibility to determine the allocation of funds, the conference agreement includes new language as described below.

Of this amount, not to exceed $1,192,000,000 shall be allocated on a pro rata basis to PHAs based on the amount of funding they were eligible to receive in 2003 or would have been eligible to receive notwithstanding the reductions due to excess administrative fee balances pursuant to the fiscal year 2003 Act. In addition, up to $50,000,000 is available to be allocated at the Secretary's discretion to PHAs that need additional funds to administer their section 8 programs in fiscal year 2004. New language is also included requiring that these funds be distributed as provided for in this Act notwithstanding any other provision of law.

Language is included as proposed by the House prohibiting any funds provided under this, or any other Act, from being used to supplement the amounts designated in this account for administrative expenses. The Senate did not include similar language.

Modified language is included similar to language proposed by the House limiting the use of section 8 administrative reserves to activities related to the provision of section 8 rental assistance, including related development activities. The Senate did not include similar language.

Language proposed by the House is not included to require the Secretary to recapture certain unspent administrative fees. The Senate did not include similar language.

The conferees are concerned that neither HUD nor the public housing agencies complied fully with requirements in the FY 2003 appropriations Act that reduced the payment of section 8 administrative fees to public housing agencies based on the amount of funds in their administrative fee accounts as of January 31, 2003. The conferees understand that the amounts PHAs disclosed to HUD to comply with the requirements of the Act were far less than expected. Therefore, the conferees direct GAO to review compliance

with the provisions of the Act. GAO is expected to report on these issues no later than April 10, 2004, to the House and Senate Committees on Appropriations.

Administrative Costs—Project-Based Section 8 Program.—$100,000,000 for contractors to administer the project-based section 8 program, the same amount proposed by the House and Senate.

Working Capital Fund.—Not less than $3,010,000 for transfer to the Working Capital Fund for the development of and modifications to information technology systems as proposed by both the House and the Senate.

The conference agreement does not include a provision proposed by the Senate bill to designate up to $3,000,000 for an outside audit of the funds included for the various programs covered by the Housing Certificate Fund. The House did not include a similar provision. Instead, the conferees direct GAO to conduct an audit of this account, including a review of how funds are accounted for and allocated by program and activity. The report should identify the sources and uses for section 8 funds obligated by the Department in fiscal years 2002 and 2003. In particular, GAO should review HUD's method of accounting for all programs and activities covered by this account as well as how public housing agencies maintain and account for their use of these funds for each program and activity (including the use of section 8 reserves and how public housing agencies track expenditures). The final report on the findings in the audit is due to the House and Senate Committees on Appropriations no later than July 15, 2004, and is directed to include recommendations to improve the quality and timeliness of information as to the actual costs of each program and activity and the amount of any carryover or unused funds.

The conferees direct the Department to provide a report to the Committees on Appropriations no later than April 1, 2004, on the status of implementation of the Public and Indian Housing Information Center (PIC).

Language is included as proposed by the House allowing the Secretary to transfer up to 15 percent of the funds provided for renewals, the central fund and administrative fees to supplement amounts provided for renewals and the central fund under certain circumstances and in accordance with certain procedures. The Senate proposed similar language.

Includes language permanently requiring all PHAs to submit accounting data for funds provided under this account in this Act or any other Act by source of funds and purpose of such funds as proposed by the Senate. The House did not include similar language.

Includes language rescinding $2,844,000,000 from unobligated balances of funds appropriated in fiscal year 2003 and prior years, instead of $1,372,000,000 as proposed by the House and the Senate. Includes language allowing unobligated balances in programs governed by reallocation provisions to be used to meet this rescission as proposed by the House and the Senate.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriates $2,712,255,000 for the public housing capital fund as proposed by the House instead of $2,641,000,000 as proposed by the Senate.

Does not include language proposed by the House and Senate designating a portion of funds to be allocated only to those PHAs that have met certain obligation and expenditure requirements, nor is language included proposed by the House to nullify such requirements upon publication of a final rule implementing the obligation and expenditure requirements set forth in the Quality Housing and Workforce Responsibility Act of 1998 (QHWRA). The conferees note that the provisions proposed in both bills were carried in prior appropriations Acts as an interim procedure to allocate funds to high performing PHAs until such time as the Department implemented the timeliness requirements set forth in section 9(j) of QHWRA. The conferees understand that the Department has implemented such provisions and will allocate the amounts provided in fiscal year 2004 in accordance with the procedures and requirements set forth in such section, obviating the need for the interim procedures.

Includes modified language, similar to language proposed by the House and Senate and carried in prior years, regarding the delegation of waiver authority and the definition of the term "obligate".

Includes $50,000,000 for technical assistance including up to $13,000,000 for remediation services to certain troubled PHAs as proposed by the Senate, instead of $51,000,000 for technical assistance including up to $13,000,000 for remediation services to troubled PHAs as proposed by the House.

Includes no less than $10,610,000 for information technology systems and up to $500,000 for section 23 projects as proposed by both the House and Senate.

Includes up to $40,000,000 for emergency capital needs resulting from emergencies or natural disasters in fiscal year 2004 as proposed by the House. The Senate proposed similar language.

Includes $15,000,000 for Neighborhood Networks grants to be awarded on a competitive basis as proposed by the Senate. The House did not include funding for this purpose. Language is included, similar to language proposed by the Senate, requiring such funds to be competitively awarded. The conferees remind HUD that these funds, and all other funds provided in this Act, are to be awarded on a competitive basis in accordance with the requirements set forth in section 205 under administrative provisions in this title.

The conference agreement does not include $125,000,000 for a new loan financing program of public housing proposed by the Senate to be authorized in an administrative provision in this title. The conferees further understand that 92 PHAs have successfully utilized $313,556,000 in public housing funds to leverage $1,012,149,000 in private sector financing to address capital modernization needs. The conferees encourage PHAs to continue to pursue such partnerships. The conferees encourage the authorization committees to explore additional alternative financing tools to le-

verage private sector financing for capital improvements in public housing. The House did not include similar funding or language.

The conferees reiterate the direction included in the House report regarding quarterly reports on the obligation and expenditure of capital funds with the first report due no later than February 2, 2004.

PUBLIC HOUSING OPERATING FUND

Appropriates $3,600,000,000 for the public housing operating fund as proposed by the House instead of $3,576,600,000 as proposed by the Senate.

Language is included specifying that funds provided in this Act are to be used only for 2004 payments to public housing authorities as proposed by the House. Language is also included permanently prohibiting funds provided in this Act and any other Act from being used for payments to public housing agencies for the operating costs of public housing for any year prior to the current year of such Act as proposed by Senate. The House proposed similar language. The conferees have included such language to ensure that funds appropriated are used for current year operating subsidies payments rather than to augment the amount of prior year operating subsidy payments above the level appropriated in such year, a previous practice which the Committees have questioned as a violation of appropriations law.

Language is included making $10,000,000 available for programs to assist in the investigation, prosecution and prevention of criminal activities in public housing to be administered through a reimbursable agreement with the Department of Justice (DOJ). The conferees expect that HUD determine, in consultation with DOJ, the priorities in the allocation of these funds.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

Appropriates $150,000,000 for the revitalization of severely distressed public housing program (HOPE VI), instead of $195,115,000 as proposed by the Senate and $50,000,000 as proposed by the House.

Language is included making funds available for obligation until September 30, 2005, as proposed by the House, instead of providing no-year authority as proposed by the Senate.

Of the amount provided, the conference agreement includes $4,000,000 for technical assistance, instead of $5,000,000 as proposed by the House and $3,000,000 as proposed by the Senate.

Language is not included setting forth certain conditions and requirements on the recapture of funds from grants awarded under the HOPE VI program prior to fiscal year 1998 as proposed by the Senate. The House did not address this matter. The conferees encourage HUD to continue to work with public housing authorities to ensure timely completion of projects, but recognize that not all grantees are making such progress. The conferees understand the Secretary has the authority to take action against grantees which have failed to meet the requirements associated with such grants, including but not limited to, the recapture of funds. The conferees understand that beginning in March 2002 HUD began to take a series of actions to improve its oversight of HOPE VI grantees includ-

ing developing and implementing enforcement actions, remedies and penalties for nonperformance. In addition, a May 2003 General Accounting Office (GAO) review of HUD's HOPE VI grant selection and oversight processes made several recommendations including development of a formal written enforcement policy to hold public housing authorities accountable for the status of their grants. The conferees request the Department submit a report to the Committees on Appropriations, no later than February 1, 2004, which identifies the changes implemented and planned to improve HUD's oversight of HOPE VI grantees; the status of each HOPE VI project funded prior to 1999 and any actions taken to ensure timely completion of such project; the Department's plans for implementing the recommendations made by GAO; and proposed alternative housing strategies to mitigate the impact of a recapture of funds on residents of failed HOPE VI projects.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $654,100,000 instead of $661,600,000 as proposed by the House and $646,600,000 as proposed by the Senate. Of the total amount, $4,500,000 is for inspections, training, and technical assistance instead of $5,000,000 as proposed by the House and $4,000,000 as proposed by the Senate.

Of the total amount, $2,000,000 is for guaranteed loans to subsidize a total guaranteed loan principal of up to $16,658,000 as proposed by the Senate instead of $1,000,000 to subsidize a total loan volume of up to $8,049,000 as proposed by the House.

The Department is directed to submit the report required by section 9 of Public Law 107–292 on the extent of black mold infestation of Native American housing in the United States, and recommendations to address the infestation, by December 15, 2004.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $5,300,000 for guaranteed loans for Native American housing on trust lands to subsidize a total loan principal of up to $197,243,000 as proposed by the House and the Senate.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,035,000 for guaranteed loans for Native Hawaiian housing to subsidize a total guaranteed loan principal of up to $39,712,000 as proposed by the Senate instead of $1,000,000 to subsidize a total loan principal of up to $35,347,985 as proposed by the House.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

Appropriates $296,500,000 for housing opportunities for persons with AIDS (HOPWA) instead of $302,000,000 as proposed by the House and $291,000,000 as proposed the Senate.

Language proposed by the Senate to exempt existing grantees from changes resulting from Federal government-wide changes in designations in metropolitan statistical areas is not included. The House did not include a similar provision.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

Appropriates $25,000,000 for rural housing and economic development as proposed by both the House and Senate. Language is included requiring funds to be awarded competitively as proposed by the House. The Senate included similar language. The Department is reminded that these funds are to be distributed on a competitive basis in accordance with the requirements set forth in section 205 under administrative provisions in this title.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

Appropriates $15,000,000 for grants to the second round of empowerment zones as proposed by the House. The Senate did not include funding for this activity. The conferees expect the Secretary to implement recommendations from the Inspector General's audits of the round II empowerment zones and to provide a report to the Committees not later than March 1, 2004, on the status of the resolution of all audit findings.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $4,950,000,000 for various activities funded in this account as proposed by the Senate instead of $4,959,000,000 as proposed by the House. The conferees agree to the following:

—$4,356,550,000 for formula grants under the Community Development Block Grant program (CDBG), instead of $4,538,650,000 as proposed by the House and $4,545,700,000 as proposed by the Senate;

—$72,000,000 for grants to Indian tribes as proposed by the House instead of $72,500,000 as proposed by the Senate;

—$3,300,000 for the Housing Assistance Council as proposed by the House and Senate;

—$2,500,000 for the National American Indian Housing Council instead of $2,400,000 as proposed by the House and $2,600,000 as proposed by the Senate;

—$52,000,000 for section 107 grants, instead of $43,000,000 as proposed by the House and $52,500,000 as proposed by the Senate. Within the amount provided for section 107 grants, the conference agreement provides the following:

$7,000,000 for insular areas;

$10,500,000 for historically black colleges and universities, of which up to $2,000,000 may be used for technical assistance;

$3,000,000 for community development work study;

$7,000,000 for Hispanic Serving Institutions;

$7,000,000 for the Community Outreach Partnerships program;

$3,000,000 for tribal colleges and universities;

$3,500,000 for Alaska Native-Serving Institutions and Native Hawaiian-Serving Institutions;

$9,500,000 for assistance under the Hawaiian Homelands Homeownership Act of 2000; and

$1,500,000 for technical assistance.

—$5,000,000 for the National Housing Development Corporation for continuation of its program of acquisition, rehabilitation, and preservation of at-risk affordable housing, including $2,000,000 for operating expenses as proposed by the House. The Senate did not propose funding for this program;

—$5,000,000 for the National Council of La Raza HOPE Fund, of which $500,000 is for technical assistance and fund management and $4,500,000 is for investments and financing as proposed by the House. The Senate did not propose funding for this program;

—$27,000,000 for grants to eligible grantees under section 11 of the Self-Help Housing Opportunity Program (SHOP), instead of $28,000,000 as proposed by the House and $12,000,000 as proposed by the Senate;

—$34,750,000 for capacity building, of which $30,000,000 is for the Community Development and Affordable Housing program for LISC and the Enterprise Foundation for activities as authorized by section 4 of the Department of Housing and Urban Development Demonstration Act, as in effect before June 12, 1997, including $5,000,000 for rural areas; and of which $4,750,000 is for Habitat for Humanity International. The House proposed $33,250,000 for capacity building including $28,250,000 for LISC and the Enterprise Foundation and $5,000,000 for Habitat for Humanity; and the Senate proposed $35,500,000 for such activities including $31,500,000 for LISC and the Enterprise Foundation and $4,000,000 for Habitat for Humanity. The conferees direct that the increase provided above the fiscal year 2003 level for Habitat for Humanity be used to expand the ability of Indian tribes to participate in SHOP and other Habitat for Humanity programs;

—$65,000,000 for YouthBuild as proposed by the House instead of $60,000,000 as proposed by the Senate;

—$278,000,000 for economic development initiatives instead of $137,500,000 as proposed by the House and $140,000,000 as proposed by the Senate. Language is included prohibiting funds from being used for program operations as proposed by the House. The Senate did not include a similar provision. The conferees note that projects receiving funds must comply with the environmental review requirements set forth in section 305(c) of the Multifamily Housing Property Disposition Act of 1994 (42 U.S.C. 3547). The conferees will not entertain waivers of such requirements. In addition, funds provided for projects shall not be used for reimbursement of expenses incurred prior to the receipt of economic development initiative funding. Modified language is included, similar to language proposed by the House and Senate, to target funds made available under this program. Targeted grants shall be made as follows:

1. $25,000 to the 21st Century Council Impact Learning Center in Jackson County, Alabama for completion of facility build out;

2. $50,000 to the Huntsville Achievement School in Huntsville, Alabama for completion of facility renovations;

3. $75,000 to the Children's Museum of the Shoals in Florence, Alabama for planning and design of a Native American exhibit;

4. $75,000 to the City of Uniontown, Alabama for renovation of the old Uniontown Middle School;

5. $100,000 to Boaz, Alabama for construction and renovation for the Boaz Community Activities Center;

6. $100,000 to the City of Luverne, Alabama for sidewalks, street furniture and facade improvements;

7. $100,000 to the Madison County Commission for construction of the Woody Anderson Library in Monrovia, Alabama;

8. $200,000 to the City of Opelika, Alabama for rehabilitation of the historic Dallas Armory;

9. $200,000 to the Burritt Center in Huntsville, Alabama for building construction;

10. $250,000 to Lamar County, Alabama for Industrial Park site development;

11. $250,000 to Guntersville, Alabama for renovation of the Community Cultural Arts Center;

12. $300,000 to Wallace Community College in Dothan, Alabama for facilities construction and renovations for the Southeast Alabama Nursing Initiative;

13. $300,000 to the City of Huntsville, Alabama for streetscape, beautification and greenways improvements;

14. $400,000 to Arab, Alabama for construction of a senior center;

15. $500,000 to the National Children's Advocacy Center in Huntsville, Alabama for facilities planning and improvements;

16. $900,000 to Spring Hill College in Mobile, Alabama for construction of a new library;

17. $75,000 to the Bishop State Community College in Mobile, Alabama for construction of a business technology center;

18. $150,000 for the Selma Downtown Revitalization Project in Selma, Alabama;

19. $400,000 for construction of the Parnell Memorial Library in Montevallo, Alabama;

20. $3,000,000 for the City of Tuscaloosa for the 21st Avenue Urban Renewal Project in Tuscaloosa, Alabama;

21. $400,000 for the University of South Alabama for improvements related to the Mitchell College of Business Library in Mobile, Alabama;

22. $75,000 for the Elmore County Economic Development Authority for business and economic development activities in Elmore County, Alabama;

23. $100,000 for the City of Millport, Alabama for construction costs associated with the Regional Cultural Center;

24. $200,000 for the Tuscaloosa County Commission for Community Development in Tuscaloosa County, Alabama;

25. $100,000 for the Montgomery Boys and Girls Club, Alabama for facility improvements;

26. $250,000 for the City of Fairhope, Alabama for construction of the Fairhope Library;

27. $100,000 for the Huntsville/Madison County Convention and Visitors Bureau for furnishing of the Visitors Center in Huntsville, Alabama;

28. $475,000 for the Crenshaw County Economic/Industrial Development Authority for industrial site preparation in Crenshaw County, Alabama;

29. $100,000 for the Rockford Council of Arts and Crafts for renovation of the Old Rockford School in Rockford, Alabama;

30. $150,000 for the City of Eufaula, Alabama for the Broad Street Revitalization project;

31. $100,000 for the City of Northport, Alabama for community development;

32. $1,000,000 for the Anchorage Museum, Anchorage, Alaska for facilities expansion;

33. $30,000 for the City of Palmer, Alaska for public facility improvements;

34. $200,000 for the City of North Pole, Alaska for recreation improvements;

35. $150,000 for Juneau, Alaska for port facilities;

36. $500,000 for the Bering Straits Native Corporation for the Cape Nome quarry upgrade, Nome, Alaska;

37. $1,000,000 for the Tongass Coast Aquarium, Ketchikan, Alaska for improvements;

38. $750,000 for the J.P. Jones Community Development Center, Fairbanks, Alaska for improvements;

39. $400,000 for Love, Inc., Fairbanks, Alaska for a social service facility;

40. $1,000,000 for Cordova, Alaska costs associated with the construction of a community center;

41. $750,000 for the Kenai Peninsula Borough, Kenai, Alaska for recreation facilities;

42. $500,000 for the City of Sitka, Alaska for the Sawmill Cove jobs center;

43. $500,000 for the Valdez Senior Center, Valdez, Alaska for improvements;

44. $150,000 for the Anchorage Economic Development Corporation, Anchorage, Alaska for a global logistics center;

45. $250,000 for the Alaska Aviation Heritage Museum, Anchorage for improvements;

46. $175,000 to the City of Phoenix, Arizona for design and construction of the Rio Salado Audubon Nature Center;

47. $200,000 to the Town of Guadalupe, Arizona for construction and renovation to the Mercado shopping center;

48. $900,000 to the Dunbar Coalition, Inc. for renovation of facilities for the African-American Historical Museum and Cultural Center in Tucson, Arizona;

49. $75,000 to the Bullion Plaza Museum Association in Miami, Arizona for renovation of the museum building;

50. $75,000 to Arkansas State University Mountain Home for construction of the Vada Sheid Community Development Center;

51. $75,000 to the Old Independence Regional Museum in Arkansas for facilities renovation;

52. $75,000 to Arkansas State University Newport for facilities construction at the commercial driver training range;

53. $75,000 to the Camden Boys and Girls Club in Camden, Arkansas for construction of recreational facilities;

54. $270,000 for the City of Conway, Arkansas for downtown revitalization;

55. $75,000 to the Bryant Youth Association in Bryant, Arkansas for land acquisition and construction of a Boys and Girls Club facility;

56. $150,000 to North Arkansas College in Harrison, Arkansas for construction of the Conference and Training Center;

57. $500,000 for the Central Arkansas Resource Conservation and Development Council in Helena, Arkansas for the Cherry Street Historic Preservation Project;

58. $250,000 for the City of Fort Smith, Arkansas for streetscapes improvements to Garrison Avenue;

59. $250,000 for the Studio for the Arts in Pocahontas, Arkansas for construction of a theatre;

60. $75,000 to the East Valley YMCA in North Hollywood, California for facilities renovation;

61. $75,000 to the Valley Family Center in the San Fernando Valley, California for facilities construction;

62. $75,000 to the Boys and Girls Club of San Fernando Valley, California for facilities renovation;

63. $75,000 to the Boys and Girls Club of Greater Oxnard and Port Hueneme in California for structural facility improvements;

64. $75,000 to the City of Oxnard, California for design and construction of an addition to the public library;

65. $75,000 to Daguhoy Lodge in Stockton, California for facility restoration;

66. $75,000 to the City of Long Beach, California for renovation of the Museum of Latin American Art;

67. $75,000 to the City of Alhambra, California for renovation of recreational facilities;

68. $75,000 to the City of Covina, California for renovation of a facility for the homeless;

69. $75,000 to the City of West Covina, California for construction of a regional community center;

70. $75,000 to the East San Gabriel Valley Japanese Community Center in California for construction of a social hall;

71. $90,000 to the City of Fontana, California for acquisition and construction needs at Jack Bulik Park;

72. $100,000 to the City of Simi Valley, California for buildout and upgrades for the Simi Valley Senior Citizens Center;

73. $100,000 to North County Solutions for Change for the Futures for Families project to construct regional transitional housing in San Diego, California;

74. $100,000 to Search to Involve Pilipino Americans in Los Angeles, California for facilities renovation at the Royal Morales Pilipino American Community and Cultural Center;

75. $100,000 to the Valley Economic Development Center, Inc. in Los Angeles, California for building renovation as part of the Highland Park Commercial Revitalization project;

76. $100,000 to Santa Clara University in California for planning and design for construction of the 'Information Commons';

77. $100,000 to the City of Palo Alto, California for children's library renovations;

78. $100,000 to the City of La Puente, California for construction to expand the city's youth learning center;

79. $100,000 to the County of Los Angeles, California for planning and construction of a cultural and performing arts center at the El Pueblo de Los Angeles State Historic Park;

80. $100,000 to the City of Huntington Park, California for development of a downtown redevelopment master plan;

81. $100,000 to ONEgeneration in the San Fernando Valley, California for construction of an intergenerational daycare center;

82. $100,000 to the City of West Sacramento, California for construction of the Collins Teen Center;

83. $100,000 to the City of Woodland, California for parking construction;

84. $125,000 to the City of San Jose, California for construction of a youth facility;

85. $125,000 to the City of Anaheim, California for land acquisition to expand the La Palma Park;

86. $150,000 to Food Share, Inc. for facilities expansion and construction for a community kitchen in Ventura County, California;

87. $150,000 to the City of Oceanside, California for construction of a senior citizens center;

88. $150,000 to the City of Lancaster, California for development of a Regional Youth Baseball Complex;

89. $150,000 to the City of Long Beach, California for construction of multi-use facilities at the Stearns Park Community Center;

90. $150,000 to the East Los Angeles YMCA in Los Angeles, California for facilities renovation;

91. $1,000,000 to the City of Inglewood, California for design and construction of a senior center;

92. $150,000 to the City of Lawndale, California for design and construction of a library;

93. $175,000 to the Rio Linda Union School District in North Highlands, California for construction of the Oakdale Community Center;

94. $175,000 to Goodwill Industries of Sacramento, California for construction of a community training center;

95. $200,000 to the City of San Francisco, California for facility renovation to house emancipated foster children;

96. $225,000 to the City of Corona, California for construction of the Corona Community Center;

97. $225,000 to the City of Redding, California for property acquisition and site preparation for the Stillwater Business Park;

98. $225,000 to the City of Adelanto, California for construction of a retail shopping center;

99. $225,000 to the City of Lancaster, California for construction of public recreation facilities, parking facilities and property acquisition for the North Downtown Transit Village Project;

100. $225,000 to the City of Diamond Bar, California for construction of a senior center;

101. $225,000 to the City of Citrus Heights, California for streetscape improvements along the Auburn Boulevard Commercial Corridor;

102. $225,000 to the Town of Groveland, California for purchase of a youth center;

103. $225,000 to the Mission Preservation Foundation in San Juan Capistrano, California for the Great Stone Church restoration project;

104. $225,000 to Sonoma State University in California for construction of the Green Music Center;

105. $275,000 to the City of Westminster, California for construction of a community cultural and education center;

106. $275,000 to Kern County, California for infrastructure improvements for the Imperial Way Industrial Park;

107. $400,000 for Shelter from the Storm, Inc. in Palm Desert, California for facilities renovations and improvements;

108. $300,000 to the City of Lincoln, California for the design and construction of a Cultural and Business Center;

109. $300,000 to the City of Santa Monica, California for renovation of a historic structure for use as a visitors center;

110. $300,000 for Vanguard University in Costa Mesa, California for facilities upgrades and equipment for a science center;

111. $325,000 to the City of Salinas, California for construction of a swimming pool;

112. $350,000 to the Palomar YMCA in Escondido, California for construction of an aquatics facility;

113. $350,000 to the International Agri-Center in Tulare, California for improvements to the Heritage Complex Learning Center and to continued construction of a new exhibit pavilion;

114. $400,000 to the City of Atascadero, California for facilities renovation for a Youth Recreation Center;

115. $450,000 to the City of Monrovia, California for site preparation at the Santa Anita and Sawpit Channels for economic development activities;

116. $450,000 to Los Angeles County, California for the construction of a new library;

117. $450,000 to the City of La Mesa, California for facilities construction for the La Mesa PARKS Project;

118. $450,000 to the City of Desert Hot Springs, California for facilities construction for a civic and community center;

119. $450,000 to the City of Tracy, California for construction of the Tracy Youth Sports Facility;

120. $1,000,000 to the California Academy of Sciences in San Francisco, California for renovation of its facility;

121. $500,000 to the Town of Apple Valley, California for Phase One of Civic Center Park;

122. $250,000 for the City of San Francisco, California for the Old Mint redevelopment project;

123. $750,000 for the City of San Diego, California for the construction of low income housing;

124. $250,000 for the City of Orange Cove, California for the Commercial Redevelopment Project;

125. $250,000 for the City of East Palo Alto, California to build a new town civic center;

126. $275,000 to the City of Aurora, Colorado for facilities renovation and construction for the Fitzsimmons Commons;

127. $1,000,000 for Fort Westernaire, Golden, Colorado for the expansion of the Westernaire museum;

128. $200,000 for YouthBiz, Inc., Denver, Colorado for construction needs related to an inner-city youth business training program;

129. $1,000,000 for Colorado UpLift, Denver, Colorado for construction needs related to a program benefiting "at-risk" inner-city youth in Denver;

130. $1,000,000 for the Denver Art Museum, Colorado for continued design and development of the Center for American Indian Art;

131. $200,000 for the City of Arvada, Colorado for the design phase of the community's arts and humanities center;

132. $500,000 for Mercy Housing, Inc., Denver, Colorado for the development of affordable housing in Durango, Colorado;

133. $90,000 to the University of Hartford in Hartford, Connecticut for building renovation to house the Hartt School Performing Arts Center;

134. $90,000 to the Wadsworth Atheneum Museum of Art in Hartford, Connecticut for facility renovation and expansion;

135. $100,000 to Wesleyan University in Middletown, Connecticut for facilities renovation of a former school;

136. $100,000 to the Town of North Haven, Connecticut for streetscape improvements in the Montowese area;

137. $100,000 to the City of West Haven, Connecticut for streetscape improvements along Campbell Avenue;

138. $200,000 to the Boys and Girls Club of the Lower Naugatuck Valley in Ansonia, Connecticut for facilities renovation;

139. $225,000 to the Town of Enfield, Connecticut for construction of the Family Resource Center;

140. $500,000 to the Charles D. Smith, Jr. Foundation for facilities construction for the Stratfield Avenue Redevelopment Project in Bridgeport, Connecticut;

141. $500,000 for the City of Hartford, Connecticut for the Hartford Home Ownership Initiative;

142. $250,000 for the Southside Institutions Neighborhood Alliance, Hartford, Connecticut for rehabilitation of dilapidated housing stock;

143. $275,000 for the Beebe Medical Center in Lewes, Delaware for facilities expansion;

144. $225,000 to Easter Seals, Delaware and Maryland's Eastern Shore for construction of a new facility in Georgetown, Delaware;

145. $500,000 for Sacred Heart Village, Inc., Wilmington, Delaware to complete the construction of an affordable housing facility for seniors;

146. $500,000 for the Wilmington Senior Center, Wilmington, Delaware for renovations for the Lafayette Court senior apartments;

147. $200,000 to Arena Stage in Washington, District of Columbia for design and construction of a new facility;

148. $275,000 to the Good Samaritan Foundation in the District of Columbia for acquisition and construction of the Anacostia Training and Outreach Center;

149. $300,000 to Gonzaga High School in Washington, District of Columbia for facilities renovation and construction;

150. $450,000 for Food and Friends of Washington, District of Columbia for facilities buildout and equipment;

151. $250,000 for the Greater Washington Urban League, in Washington, District of Columbia for renovations to their new headquarters;

152. $100,000 to the Sebring Airport Authority, Florida for planning for the development of a light industrial/commercial business park;

153. $1,000,000 for facilities construction for Tampa Bay Watch in Florida;

154. $100,000 to the City of St. Petersburg, Florida for facilities expansion for the Museum of History;

155. $100,000 to Lake Mary, Florida for a downtown development improvement program;

156. $100,000 to the City of St. Petersburg, Florida for restoration of the Jordan School;

157. $125,000 to the George Washington Carver Community Center in Crystal River area, Florida for facilities construction;

158. $150,000 to Mainstreet Fort Pierce, Inc. for the restoration and renovation of the Sunrise Theatre building in Fort Pierce, Florida;

159. $200,000 to the City of Ocoee, Florida for construction of a senior citizen/veterans services facility;

160. $200,000 to the City of Clearwater, Florida for the Homeless Intervention Project;

161. $225,000 to the Bishop Planetarium in Bradenton, Florida for facilities reconstruction and restoration;

162. $250,000 to Osceola County, Florida for construction of a homeless shelter to be operated by Transition House in Kissimmee, Florida;

163. $200,000 to St. Cloud, Florida for a special needs evacuation, senior, multipurpose center;

164. $300,000 to the Mainstreet DeLand Association in DeLand, Florida for the Athens Theatre Renovation project;

165. $300,000 for facilities expansion of the Dali Museum in St. Petersburg, Florida;

166. $300,000 for the expansion of Ruth Eckerd Hall in Clearwater, Florida;

167. $200,000 to Orange County, Florida for construction of a senior center;

168. $350,000 to Central Florida Community College in Ocala, Florida for construction for an Information Technology Center;

169. $300,000 to Pinellas County, Florida for the renovation of an aviation high technology facility;

170. $350,000 to Pinellas County, Florida for facilities construction for a folk cultural center;

171. $450,000 to the City of Boca Raton, Florida for streetscape improvements for the implementation of the Pearl City Master Plan;

172. $450,000 to the City of Clearwater, Florida for waterfront facilities construction of the "Beach by Design Initiative";

173. $500,000 to the City of St. Petersburg, Florida for land acquisition, relocation, demolition and conveyance for the Midtown retail redevelopment project;

174. $500,000 to the City of St. Petersburg, Florida for Dome Industrial and Jordan Park facilities renovation and construction;

175. $775,000 for facilities construction for the Stetson University College of Law, Tampa, Florida campus;

176. $900,000 to South Florida Goodwill in Miami, Florida for facilities renovations and upgrades;

177. $1,000,000 for construction and redevelopment of the Historic Carlington (Roosevelt) Hotel in Jacksonville, Florida to include residential and commercial property;

178. $875,000 for Eckerd College in St. Petersburg, Florida for the expansion of the Youth Opportunity and Development Center;

179. $1,400,000 to the City of Dunedin, Florida for construction of recreation center facilities;

180. $300,000 for Miami-Dade County, Florida for the construction of the Miami-Dade County Performing Arts Center;

181. $350,000 for Volusia County, Florida for the construction of a community performing arts center;

182. $425,000 for the City of Coral Gables, Florida for the Biltmore Complex Restoration Project;

183. $75,000 to the Town of Lumpkin, Georgia for Westville Village's History Alive building restoration;

184. $75,000 to the City of Richland Downtown Development Authority in Richland, Georgia for renovation of the Old Richland Hotel;

185. $75,000 to Thomasville, Georgia for Historic Douglas High School Alumni Association Complex renovation;

186. $75,000 to the University of Georgia for facility buildout to support a program to support southwest Georgia value-added product development;

187. $275,000 to DeKalb County, Georgia for planning and construction of a senior center;

188. $100,000 to the City of Macon, Georgia for renovation of the historic Coca-Cola building;

189. $100,000 to the Tubman Museum, in Macon, Georgia for building construction;

190. $75,000 to the Clayton County, Georgia Board of Commissioners for planning and construction of a senior center in Jonesboro;

191. $100,000 to the City of Plains, Georgia for the construction and facilities buildout at the Rural History Resource Center;

192. $100,000 to Phoebe Putney Memorial Hospital in Dougherty County, Georgia for building renovation;

193. $400,000 to Morehouse School of Medicine in Atlanta, Georgia for land acquisition and building expansion;

194. $100,000 to Morehouse College in Atlanta, Georgia for construction of facilities to house the African American Archival Program;

195. $100,000 to Morehouse College in Atlanta, Georgia for construction of a performing arts center;

196. $115,000 to Albany, Georgia for renovation and construction of the Faith Community Outreach Center Incorporated, and renovation of the kitchen at the SOWEGA Council of Aging's Site One Senior Kitchen;

197. $150,000 to the Joint Development Authority of Ben Hill and Irwin Counties, Georgia for parkland enhancements for Fitzgerald Millennium Technology Pointe;

198. $160,000 for the Pine Mountain Beautification and Economic Development project in Harris County, Georgia for streetscape improvements;

199. $225,000 to the City of Monticello, Georgia for recreational facilities improvements and pedestrian pathways for the development of Funderburg Park;

200. $225,000 to Cobb County, Georgia for construction of the South Cobb Regional Library;

201. $275,000 to the City of Powder Springs, Georgia for refurbishment of the Coach George E. Ford Center;

202. $325,000 to the Golden Harvest Food Banks in Augusta, Georgia for facilities construction and improvements for the "Feed the People" campaign;

203. $360,000 to Columbus, Georgia for land acquisition for the Wilson Camp project;

204. $525,000 to the City of Moultrie, Georgia for demolition and initial construction of the Swift property;

205. $100,000 to the City of Atlanta, Georgia for renovation and restoration of the historic Paschal's restaurant and motel;

206. $130,000 to the Waianae, Hawaii YMCA for facilities construction;

207. $500,000 for the Boys and Girls Club of Hawaii, Nanakuli, Hawaii for the planning and construction of a new facility;

208. $500,000 for the Oahu Continuum of Care, Wainae, Hawaii for the construction and renovation of permanent supportive housing;

209. $500,000 for the Hawaii Nature Center, Wailuku, Hawaii for the Maui Renovation Project;

210. $500,000 for the County of Kauai, Hawaii for a technology training facility in Kauai, Hawaii;

211. $250,000 for the Kapahulu Senior Center, Honolulu, Hawaii for improvements and renovations to the senior center;

212. $900,000 for the Clearwater Economic Development Association, Idaho, to continue implementation of a Lewis and Clark Bicentennial commemoration plan;

213. $300,000 to Franklin County, Idaho for the moving, renovation, restoration of the Oneida Stake Academy building in Preston, Idaho;

214. $700,000 to Idaho State University for facilities construction for the L.E. and Thelma E. Stephens Performing Arts Center;

215. $100,000 to the University of Idaho for planning and design of the Lionel Hampton Center;

216. $800,000 for Boise State University, Idaho, for construction on an Environmental Science and Economic Development Building;

217. $900,000 for the City of Salmon, Idaho, for expansion of the Sacajawea Cultural and Arts Center expansion;

218. $900,000 for the University of Idaho, for construction related to a Performance and Education Facility;

219. $75,000 to Lawrence Hall Youth Services in Chicago, Illinois for facility construction;

220. $100,000 for the Tazewell-Woodford Head Start program in East Peoria, Illinois for the continued construction of a new facility;

221. $100,000 to the Southeast Chicago Development Commission in Chicago, Illinois for building construction for a shopping center;

222. $150,000 to the Canal Corridor Association for the Port of LaSalle Project in LaSalle, Illinois including construction of an outdoor interpretive center, a replica mule barn, and construction of a lock-tender's house;

223. $175,000 to the Rebirth of Englewood Community Development Corporation in Chicago, Illinois for purchase and renovation of a building to serve as a community center;

224. $200,000 to the Northfield Park District, Illinois for facilities renovation and rehabilitation;

225. $225,000 for the Morton Arboretum in Lisle, Illinois for construction of a new visitor center;

226. $225,000 for the Rialto Square Theater in Joliet, Illinois for facilities restoration and improvements;

227. $250,000 for Lincoln Christian College in Lincoln, Illinois for the restoration of the Earl C. Hargrove Auditorium;

228. $250,000 to the Village of Homewood, Illinois for purchase and renovation of the Canadian National Railroad Depot;

229. $250,000 to Western Springs Park District, Illinois for construction of a storage facility and park amphitheater;

230. $650,000 to Bradley University in Peoria, Illinois for renovation of Bradley Hall;

231. $700,000 to the City of DeKalb, Illinois for revitalization of East Lincoln Highway including building rehabilitation, streetscape improvements and beautification;

232. $1,000,000 to Rush-Presbyterian-St. Luke's Medical Center in Chicago, Illinois for facilities construction;

233. $150,000 for the Center for the Prevention of Abuse in Peoria, Illinois for the construction of a facility;

234. $500,000 for the City of Peoria, Illinois for construction on a proposed medical/technical district in Peoria, Illinois;

235. $500,000 for Access Living, Chicago, Illinois for the construction of a new community service facility;

236. $350,000 for Children's Advocacy Center, Chicago, Illinois for costs associated with expansion;

237. $200,000 for the City of Des Plaines, Illinois for infrastructure improvements;

238. $100,000 for the Merit School of Music in Chicago, Illinois for facility improvements;

239. $300,000 for the Chicago Department of Cultural Affairs, Illinois for restoration of the Chicago Cultural Center Domes;

240. $250,000 for the City of East Moline, Illinois for necessary upgrades to infrastructure for economic development purposes, including the Quarter project and revitalization of the central business district;

241. $200,000 for improvements to the Field Museum, Chicago, Illinois;

242. $200,000 for Manteno Township, Manteno, Illinois for economic redevelopment activities;

243. $250,000 for the City of Springfield, Illinois for infrastructure improvements to support economic development;

244. $200,000 to the City of Jeffersonville, Indiana for renovation of the Carnegie Library;

245. $300,000 to the City of Anderson, Indiana for facilities construction of the Anderson Business Development Center;

246. $200,000 to the African American Achievers Youth Corporation in Gary, Indiana for renovation of the Glen Theater;

247. $300,000 to the University of Saint Francis in Fort Wayne, Indiana for construction and buildout of the proposed Professional Development Center;

248. $400,000 to the City of South Bend, Indiana for site acquisition and demolition for the Studebaker Corridor redevelopment initiative;

249. $500,000 to the James Whitcombe Riley Hospital for Children in Indianapolis, Indiana for the expansion and renovation of the Children's Emergency and Trauma Center;

250. $600,000 to North Township, Indiana for renovation and construction of recreational facilities, parking, lighting and landscaping improvements at Wicker Memorial Park;

251. $500,000 for the University of Saint Francis in Fort Wayne, Indiana for facilities construction for the Health Sciences Resource Library;

252. $800,000 for the City of Fort Wayne, Indiana for the expansion of the Northeast Indiana Innovation Center;

253. $200,000 for the Indiana Association of Cities and Towns, Indianapolis, Indiana for downtown revitalization;

254. $350,000 for the Delaware County Commissioners, City of Muncie, Indiana for building improvements to the Fairgrounds facilities;

255. $100,000 to the Family Violence Center in Des Moines, Iowa for facilities renovation;

256. $100,000 to the Town of Grinnell, Iowa for restoration and rehabilitation of downtown buildings;

257. $150,000 for the North Central Iowa Regional Solid Waste to Energy Facility in Fort Dodge, Iowa for facilities construction;

258. $450,000 to Systems Unlimited, Inc. located in Iowa City, Iowa for facilities construction;

259. $300,000 for the City of Council Bluffs, Iowa for the 23rd Avenue Housing Project;

260. $250,000 for the Scott County Housing Council, Davenport, Iowa for the construction and rehabilitation of housing;

261. $200,000 for the Iowa Department of Economic Development for the enhancement of regional economic development capabilities;

262. $250,000 for the Mid America Housing Partnership in Cedar Rapids, Iowa for the housing trust fund;

263. $100,000 for the Iowa State Fair Board in Des Moines, Iowa for a statewide awareness and education/exhibit;

264. $280,000 for the City of Waterloo, Iowa for the John Deere brownfield and bio-based incubator project;

265. $300,000 for the Witwer Senior Center, Cedar Rapids, Iowa for facility expansion and renovation;

266. $600,000 for the City of Clinton, Iowa for the Liberty Square brownfields redevelopment project;

267. $1,000,000 for the Hunter Clinic in Wichita, Kansas for construction;

268. $2,000,000 to Catholic Housing of Wyandotte County, Kansas for development and improvements in the St. Peter/Waterway/Strawberry Hill Redevelopment Project;

269. $175,000 to the Wichita Art Museum in Wichita, Kansas for facilities renovation, construction and improvements for the second Art Investigation Gallery;

270. $200,000 to Sedan, Kansas for renovation of the historic Bradford Hotel;

271. $500,000 for Railroad Heritage, Inc. for construction costs associated with the Great Overland Station Renovation and Restoration Project in Topeka, Kansas;

272. $1,000,000 for the El Zocalo Hispanic Community Center, Wichita, Kansas for construction costs;

273. $75,000 to the Louisville Jefferson County Metropolitan Government, Kentucky for the renovation of the Sun Valley Community Center;

274. $100,000 to the Fivco Area Development District in Kentucky for construction of a multipurpose facility at EastPark;

275. $100,000 for North Star Productions, Inc. in Bracken County, Kentucky for construction of an amphitheater;

276. $200,000 to the City of Renfro Valley, Kentucky for construction of a municipal conference and civic center;

277. $225,000 to Cumberland College in Williamsburg, Kentucky for renovation of the campus science complex;

278. $225,000 to the London-Laurel County Tourism Committee, Kentucky for construction of the Blue-Gray Civil War Theme Park;

279. $225,000 to Casey County, Kentucky for development and engineering for the Agricultural and Exposition Center;

280. $450,000 to the Center for Rural Development in Somerset, Kentucky for facilities renovation and expansion;

281. $925,000 to the Louisville Medical Center Development Corporation for property acquisition for development of a research park in Louisville, Kentucky;

282. $250,000 for the YMCA of Franklin, Kentucky for facilities construction;

283. $3,000,000 for the H.L. Neblett Center in Owensboro/Daviess County, Kentucky for the construction of a new facility;

284. $500,000 for the Crittenden County Economic Development Corporation in Marion, Kentucky, for the Marion/Crittenden County Technology-Economic Development Training Center;

285. $100,000 for Harrison County, Kentucky for improvements to the Harrison County Courthouse;

286. $400,000 for Hopkinsville, Kentucky for construction related to the Hopkinsville-Christian County Conference and Convention Center;

287. $500,000 for the Louisville Science Center, Kentucky for renovation and construction related to the Science Education Wing;

288. $50,000 to St. Tammany Parish, Louisiana for construction of a veterans memorial;

289. $75,000 to the Downtown Development District in New Orleans, Louisiana for sidewalk replacements and enhancements;

290. $125,000 to the Town of Ferriday, Louisiana for Main Street streetscape work;

291. $500,000 for Alexandria Central Economic Development District, Louisiana for an economic revitalization study and revitalization of the Red River waterfront;

292. $200,000 to the Amistad Research Center at Tulane University in New Orleans, Louisiana for facilities restoration of the Tilden Library to house Center records;

293. $225,000 to the Town of New Roads, Louisiana facilities construction and renovation, and sidewalks, street furniture and façade improvements;

294. $450,000 to the National Center for Community Renewal for facilities renovation and expansion in Shreveport, Louisiana;

295. $450,000 to the Audubon Nature Institute for facilities construction in Baton Rouge and New Orleans, Louisiana;

296. $500,000 for PACE Louisiana, New Orleans, Louisiana for the renovation of a building for a senior adult day center;

297. $750,000 for the State of Louisiana for the Poverty Point restoration project;

298. $250,000 to the Biomedical Research Foundation for the InterTech Science Park, Louisiana;

299. $100,000 for the Comprehensive Central City Initiative of New Orleans, Inc., Louisiana for neighborhood revitalization;

300. $200,000 for the City of Opelousas, Louisiana for the redevelopment of the historic downtown district;

301. $100,000 for the City of Bogalusa, Louisiana for recreation improvements;

302. $100,000 for facility improvements at the American Rose Center in Shreveport, Louisiana;

303. $100,000 to the Maine Environmental Research Institute (MERI) in Blue Hill, Maine for facilities renovation;

304. $100,000 to Rumford Hospital in Maine for facility renovation;

305. $500,000 for the City of Caribou, Maine to improve and repair gymnasium and related facilities in the Armory building;

306. $125,000 for the Center Theater for the Performing Arts in Dover-Foxcroft, Maine to improve and repair the Center Theater;

307. $125,000 for the Town of Fort Fairfield, Maine to improve and repair the Armory facility;

308. $220,000 for the University of Maine (Jonesboro and Orono), Blueberry Hill Farm to renovate the blueberry research facility;

309. $200,000 for the Central Maine Technical College-Western Maine University and Technical Center, South Paris, Maine to assist in development of technical college center;

310. $250,000 for the City of Bangor, Maine for further development of the Penobscot Riverfront Park;

311. $250,000 for the City of Brewer, Maine to assist the city's shoreline stabilization project;

312. $120,000 for Sagadahoc County, Maine to repair granite steps at the Sagadahoc County Courthouse;

313. $210,000 for the Town of Thomaston, Maine to fund construction of sidewalk in business district;

314. $600,000 for the City of Baltimore, Maryland for the Main Streets Initiative project;

315. $100,000 for the Baltimore Child Abuse Center in Baltimore, Maryland for building renovations;

316. $500,000 for the B&O Railroad Museum in Baltimore, Maryland for building renovations;

317. $250,000 for the Great Blacks in Wax Museum in Baltimore, Maryland for the Museum Expansion Project;

318. $250,000 for Harford County, Maryland for the Havre de Grace Youth & Senior Center;

319. $500,000 for Howard County, Maryland for Revitalization of the Route 1 Corridor;

320. $750,000 for Montgomery County, Maryland for pedestrian linkages in Silver Spring;

321. $300,000 for the City of Gaithersburg, Maryland for the Gaithersburg Youth Center;

322. $650,000 for Prince George's County, Maryland to develop an African American Cultural & Community Center in the Gateway Arts District;

323. $300,000 for Washington County, Maryland for the Smithsburg Library;

324. $260,000 for the City of Laurel, Maryland for improvements to Route 1;

325. $65,000 for the Woodlawn Community Education & Development Association in Baltimore County, Maryland for the Woodlawn Community Auditorium Project;

326. $320,000 for the City of District Heights, Maryland for façade and building renovations in the city's commercial area;

327. $75,000 to the City of Rockville, Maryland for construction of a park at King Mill;

328. $90,000 to the Melwood Horticultural Training Center in Prince George's County, Maryland for facilities renovation;

329. $100,000 to the Boys and Girls Club of Greater Washington in Silver Spring, Maryland for purchase of the D.C. Metropolitan Police Boys and Girls Club facility;

330. $150,000 to the Olney Theatre for the Arts in Olney, Maryland for construction of a theater;

331. $160,000 to the Bowie Regional Arts Vision Association in Bowie, Maryland for construction of a new community theater;

332. $175,000 to the 20th Street H.O.P.E. House in Baltimore, Maryland for facilities expansion and renovation;

333. $200,000 to the Gateway Arts District along the Route 1 Corridor in the areas covering the communities of Mount Rainier, Brentwood, North Brentwood and Hyattsville in Prince George's County, Maryland;

334. $350,000 for the National Federation of the Blind Research and Training Institute in Baltimore, Maryland for facilities construction;

335. $100,000 to YMCA Camp Letts in Anne Arundel County, Maryland for facilities upgrades and related improvements;

336. $50,000 to the Chelsea Green Space and Recreation Committee in Massachusetts for construction of a park, including a boardwalk and benches;

337. $75,000 to the Town of Randolph, Massachusetts for the rehabilitation of the historic Stetson Town Hall;

338. $100,000 to the Roxbury Boys and Girls Club in Roxbury, Massachusetts for renovation of the Roxbury Clubhouse;

339. $100,000 to Salem State College in Salem, Massachusetts for construction of a theater;

340. $100,000 to the Essex National Heritage Commission for Community Resource in Massachusetts for development of a plan for a visitors services and archives center;

341. $325,000 for Main South Community Development Corporation, Worcester, Massachusetts for the Gardner-Kilby Hammond Neighborhood Revitalization Project;

342. $175,000 to the Lawrence, Massachusetts Boys and Girls Club for recreational facilities renovations;

343. $300,000 to the City of Springfield, Massachusetts for design development and renovation of an existing public market;

344. $700,000 to Springfield College, in Springfield, Massachusetts for planning and construction of a field house;

345. $300,000 to North Adams, Massachusetts for renovation of the North Adams Armory into a community center;

346. $200,000 to Greenfield, Massachusetts for renovation of the First National Bank Building;

347. $350,000 to the Massachusetts College of Pharmacy and Health Sciences in Worcester, Massachusetts for construction of new multi-use education facilities;

348. $200,000 to Holyoke Community College in Holyoke, Massachusetts for land acquisition;

349. $150,000 for the City of Boston, Massachusetts for the City of Boston Affordable Housing Environmental Remediation Project;

350. $100,000 for the Massachusetts 9/11 Fund, Boston, Massachusetts for the planning, design and implementation of a memorial;

351. $100,000 for St. Mary's College in Orchard Lake, Michigan for renovation of library and dormitory facilities;

352. $125,000 for Lawrence Tech in Southfield, Michigan for facilities renovation and enhancements for the Center for Innovative Materials for Infrastructure Security;

353. $125,000 for the Michigan Jewish Institute for construction, buildout, and equipment for the College Academic Center;

354. $125,000 to Genesee County, Michigan for land acquisition in support of the Genesee County Land Reutilization Plan, in collaboration with the City of Flint;

355. $175,000 to the City of Detroit, Michigan for demolition of abandoned housing stock;

356. $175,000 to the City of Detroit, Michigan for design and construction of the Belle Isle Natural Zoo;

357. $200,000 for Boysville of Michigan for renovations and upgrades at various locations;

358. $200,000 to the National Center for Manufacturing Sciences in Ann Arbor, Michigan for facilities improvements and buildout related to the development and deployment of advanced technologies to the manufacturing base;

359. $300,000 to Focus: HOPE in Detroit, Michigan for facilities renovation;

360. $200,000 to the Arab Community Center for Economic and Social Services in Dearborn, Michigan for construction of an Arab American National Museum and Cultural Center;

361. $225,000 to the City of Menominee, Michigan for renovation of recreational facilities;

362. $300,000 to Mercy Hospital Cadillac in Cadillac, Michigan for facilities construction and renovations for the Healthcare Improvement and Access Initiative;

363. $450,000 for Automotion Alley for facilities construction, improvements and buildout for a Technology Center in Troy, Michigan;

364. $1,000,000 for the State of Michigan for costs associated with the relocation of the A.E. Seaman Mineral Museum;

365. $250,000 for the City of Detroit, Michigan for the Detroit Riverfront revitalization project;

366. $500,000 for the City of Saginaw, Michigan for the South Washington Street Improvement Initiative;

367. $500,000 for the Mexicantown Community Development Corporation, Detroit, Michigan for the construction of a welcome center;

368. $225,000 for the City Opera House Heritage Association, Traverse City, Michigan for costs associated with restoration;

369. $250,000 for the City of Parchment, Michigan for the Parchment Brownfield Redevelopment Project;

370. $100,000 to the Audubon Center of the North Woods in Minnesota for facilities construction and renovation;

371. $100,000 to Leech Lake Tribal College in Minnesota for planning and site development for establishment of a new campus;

372. $125,000 to Fond Du Lac Tribal and Community College in Minnesota for design and construction of a multi-use facility;

373. $150,000 to the Minneapolis American Indian Center in Minneapolis, Minnesota for facility renovation and construction;

374. $150,000 to the Greater Minneapolis Council of Churches in North Minneapolis, Minnesota for construction of the Center for Families;

375. $150,000 to the Northside Residents Redevelopment Council in Minneapolis, Minnesota for building construction;

376. $150,000 to the Labor Interpretive Center in Minnesota for construction of a memorial;

377. $225,000 to the Redwood County Agricultural Society in Minnesota for fairground grandstand renovation and construction of facilities;

378. $187,500 for the City of St. Paul, Minnesota for rehabilitation needs at the Ames Lake Neighborhood/Phalen Place Apartments;

379. $187,500 for the Shelter House in Willmar, Minnesota for a new building project;

380. $187,500 for Minnesota Corn Growers Association in Shakopee, Minnesota for the construction of a new facility;

381. $187,500 for the City of Roseau, Minnesota for the rehabilitation of damaged housing;

382. $500,000 for Tchula, for the development of the Mississippi Municipal Complex;

383. $500,000 for the City of Oxford, Mississippi for the City of Oxford Innovation and Outreach Center;

384. $1,000,000 for the City of Meridian, Mississippi for the rehabilitation of the Riley Education and Performing Arts Center;

385. $1,000,000 for Mississippi State University for the renovation of the Lloyd-Ricks Building;

386. $250,000 for the City of Richton, Mississippi for repairs associated with the City of Richton's Municipal Complex;

387. $500,000 for Brookhaven, Mississippi for the rehabilitation of the Lincoln County and City of Brookhaven's Courthouse;

388. $500,000 for the City of Pearl, Mississippi for the renovation of the City of Pearl's Community Center;

389. $500,000 for the City of Holly Springs, Mississippi for the North Memphis Street District Redevelopment and Revitalization;

390. $250,000 for John C. Stennis Institute of Government, Mississippi State, Mississippi, for the Capacity Development Initiative;

391. $100,000 to the Town of Bolton Development Corporation in Bolton, Mississippi for acquisition and renovation of a multipurpose community facility;

392. $150,000 to Harrison County, Mississippi for construction of waterfront facilities;

393. $325,000 to the Yoknapatawpha Arts Council in Oxford, Mississippi for facilities renovation;

394. $60,000 to the City of Joplin, Missouri for a feasibility study and facilities improvements for the restoration of the Joplin Union Depot;

395. $100,000 for the Eugene Field House Foundation in St. Louis, Missouri for the Eugene Field House restoration;

396. $75,000 to the City of St. Louis, Missouri for streetscape improvements;

397. $75,000 to St. Louis County, Missouri for streetscape improvements;

398. $75,000 to Jefferson County, Missouri for streetscape improvements along Jeffco Boulevard;

399. $100,000 to the Liberty Memorial Museum in Kansas City, Missouri for museum renovation;

400. $450,000 to the City of Kansas City, Missouri for the Union Hill Redevelopment Project, including but not limited to streetscape improvements;

401. $175,000 to the City of Cape Girardeau, Missouri for the painting of a mural on the Cape Girardeau, Missouri flood wall;

402. $225,000 to the Missouri Soybean Association for the purchase of a building for use as an Incubation Center in Kansas City, Missouri;

403. $900,000 to the City of Springfield, Missouri for construction of a community multipurpose facility;

404. $450,000 to Carrolton, Missouri for the Downtown Revitalization Project;

405. $400,000 to Community Builders of Kansas City, Missouri for the Blue Parkway Town District Project;

406. $450,000 to Kansas City, Missouri for the Columbus Park Redevelopment Project;

407. $250,000 to the Harvesters Food Bank in Kansas City, Missouri for the Capital Campaign Construction project;

408. $500,000 to the City of St. Louis, Missouri for equipment and training for the Lead Abatement Project;

409. $250,000 to the Central Missouri Food Bank, Columbia, Missouri for a new Capital Campaign Construction Project;

410. $360,000 to the St. Patrick Center in St. Louis, Missouri for renovations and improvements for the homeless partnership center;

411. $250,000 for the Stars and Stripes Museum/Library Association in Stoddard County, Missouri for archiving facility upgrades and equipment;

412. $500,000 for the Negro Leagues Baseball Museum in Kansas City, Missouri for renovations to the Buck O'Neil Research and Education Center;

413. $90,000 for the Capitol City Area Council for Special Services in Cole County, Missouri for costs associated with the construction of the Low Income Family Program expansion;

414. $600,000 for the City of Maryville, Missouri for neighborhood revitalization;

415. $1,000,000 for the Metropolitan Parks & Recreation District in St. Louis, Missouri for feasibility, engineering, and design of the Choteau Lake and Greenway Project;

416. $250,000 for the Mid-Missouri Regional Planning Commission, Ashland, Missouri for construction costs related to the Life Sciences Technology Incubator;

417. $500,000 for the City of Raytown, Missouri for downtown revitalization;

418. $500,000 for the Urban League of Kansas City, Missouri for costs associated with construction;

419. $500,000 for Grand Center, Inc. in St. Louis, Missouri for construction of a multipurpose facility for the Charmaine Chapman Community Center;

420. $450,000 for the City of Clarksville, Missouri for costs associated with construction of the Riverfront Development Project;

421. $500,000 for the Friends of the RB Project, Inc. in Stockton, Missouri for costs associated with construction of the Friends of RB Stockton Lake Community Project;

422. $1,000,000 for the University of Missouri-Kansas City for construction of the Cardiovascular Proteomics Center;

423. $400,000 for the National Children's Cancer Society in St. Louis, Missouri for construction;

424. $500,000 for the Daly Mansion Preservation Trust, Hamiliton, Montana for the Marcus Daly Mansion Renovation Project;

425. $500,000 for the Story Mansion, Bozeman, Montana for historical renovations and improvements;

426. $650,000 for the Deaconess Billings Clinic, Billings, Montana for additions to the research division;

427. $500,000 for St. Vincent's Foundation, Billings, Montana for construction of a senior citizens facility;

428. $900,000 for the Big Sky Economic Development Authority, Billings, Montana for economic development outreach;

429. $150,000 for the Great Falls Development Authority, Great Falls, Montana for economic development outreach;

430. $400,000 for the Southwest Boys and Girls Club, Bozeman, Montana for construction of a new facility;

431. $200,000 for Missoula Aging Services, Missoula, Montana for expansions and renovations;

432. $400,000 to the Yellowstone Boys and Girls Ranch in Billings, Montana for facilities construction and renovations;

433. $350,000 for the Bozeman Library, Bozeman, Montana for renovations and infrastructure;

434. $250,000 for the City of Omaha, Nebraska for infrastructure redevelopment to use in connection with the conversion and redevelopment of the Heritage Services redevelopment project;

435. $375,000 for the Omaha Performing Arts Society in Omaha, Nebraska for construction costs associated with the Omaha Performing Arts Center;

436. $625,000 for the North Omaha Housing Initiative in Omaha, Nebraska for the development of affordable housing;

437. $325,000 to Girls and Boys Town of Boys Town, Nebraska for the national priority projects of Girls and Boys Town USA;

438. $450,000 for Falls City, Nebraska for the development of infrastructure for an industrial park;

439. $450,000 to the Boys and Girls Home of Nebraska for renovation of the Columbus Community Hospital in Columbus, Nebraska;

440. $385,000 for the City of Las Vegas, Nevada for renovations to a historic post office building;

441. $75,000 to the City of North Las Vegas, Nevada for planning and construction of a public library;

442. $200,000 to the City of Henderson, Nevada for the purchase and renovation of buildings to revitalize the downtown area;

443. $225,000 to the City of Sparks, Nevada for rehabilitation of the Deer Park Pool facilities;

444. $350,000 for the City of North Las Vegas, Nevada for a neighborhood beautification project;

445. $350,000 for the City of Reno, Nevada for the construction of the Reno Homeless Resource Center;

446. $350,000 for Community Chest, Inc., Virginia City, Nevada for construction of a youth and community resource center;

447. $350,000 for the City of Reno through the Hispanic Chamber of Commerce, Nevada for streetscaping improvements;

448. $200,000 for WestCare Foundation in Las Vegas, Nevada for renovations of facilities;

449. $50,000 for the YMCA of Southern Nevada in Las Vegas for facility renovations;

450. $1,000,000 for the V.I.C.T.M. Family Center in Washoe County, Nevada for the construction of a facility for multi-purpose social services referral and victim counseling;

451. $790,000 for the City of Nashua, New Hampshire to renovate and expand the Nashua Senior Center;

452. $500,000 for the City of Nashua, New Hampshire for the restoration of Mines Falls Park;

453. $700,000 for the Greater Manchester YMCA, Manchester, New Hampshire for renovation of facilities;

454. $550,000 for City of Portsmouth, New Hampshire to assist in the creation of a safe pedestrian link (Portsmouth Piscataqua Riverwalk) between scenic and historic destinations and New Hampshire's only working deep-water seaport;

455. $100,000 for the Town of Troy, New Hampshire for the Troy Economic Development Initiative;

456. $500,000 for the City of Claremont, New Hampshire, for the Claremont Economic Development Initiative/Renovation of Historic Mills;

457. $400,000 for the City of Concord, New Hampshire for the renovation of Penacook Mills;

458. $80,000 for the Lancaster Main Street Program in Lancaster, New Hampshire for facilities renovations and improvements for the Great North Woods Welcome Center;

459. $1,000,000 for the State of New Jersey for construction costs associated with the South Jersey Rural Economic Development Corporation;

460. $1,000,000 for the New Jersey Community Development Corporation in Paterson, New Jersey for construction of a Transportation Opportunity Center;

461. $75,000 to Ujima Ministries, Inc. in Mercer County, New Jersey for facilities construction;

462. $75,000 to the County of Hunterdon, New Jersey for design and construction of a senior center;

463. $125,000 to the Essex County Environmental Center in Roseland, New Jersey for renovation and construction to accommodate facilities expansion;

464. $175,000 to the Robert Wood Johnson University Hospital in New Jersey for construction related to the expansion of the children's hospital;

465. $200,000 to the Jersey City Medical Center in New Jersey for construction;

466. $225,000 to the Morris Area YMCA, Morris County, New Jersey for facilities construction and renovation;

467. $225,000 to the Somerset Hills YMCA in Basking Ridge, New Jersey for facilities construction and renovation;

468. $225,000 to Ramapo College of New Jersey for construction of the Bill Bradley Sports and Recreation Center;

469. $225,000 to Rutgers University in New Jersey for land acquisition for LEAP University High School;

470. $250,000 to the Edison Preservation Foundation in New Jersey for building rehabilitation;

471. $300,000 to the Township of Mount Holly, New Jersey, for an economic planning study for the Mount Holly bypass corridor ($50,000) and for construction of affordable housing units ($250,000);

472. $380,000 to the Borough of North Arlington, New Jersey for sidewalk, curbs and façade improvements in the Morton Avenue neighborhood;

473. $500,000 for the Boys and Girls Club of Santa Fe, New Mexico to construct a new facility;

474. $500,000 to the City of Albuquerque, New Mexico, to complete construction and renovation of buildings occupied by the Cuidando los Ninos program for homeless children and families (the John Marshal Renovation Project, Phase II, Cuidando los Ninos site);

475. $700,000 for the Hobbs Industrial Air Park redevelopment project in Hobbs, New Mexico;

476. $640,000 for the Village of Tijeras, New Mexico for construction of an addition to the Tijeras Village Hall;

477. $360,000 for the Town of Taos, New Mexico, for the DreamTree Project Transitional Living Program Apartments to serve homeless, abused, and neglected youth;

478. $1,600,000 for the Town of Taos, New Mexico, to complete construction and lining of the Paseo del Canon Drainage Channel and related safety fencing;

479. $200,000 for Dona Ana County, New Mexico, for the Veterans Memorial Wall to honor war veterans;

480. $100,000 to the Hubbard Museum of the American West located in Ruidoso, New Mexico for facilities expansion;

481. $225,000 to the Wheels Museum, Inc. for planning and land acquisition in New Mexico;

482. $250,000 for the Sephardic Community Center, Brooklyn, New York for a building addition for seniors, adults, teenagers and children;

483. $250,000 for the Broome-Tioga Workforce Development System in New York to create a business incubator;

484. $250,000 for Schines Theatre, Auburn, New York for restoration of the facility;

485. $250,000 for the Foothills Performing Arts Center, Inc., Oneonta, New York for construction of a new facility;

486. $250,000 for Southern Tier Sports and Recreation Center, Inc. in Binghamton, New York for development of a Community Center Complex;

487. $200,000 to Sephardic Bikur Holim in New York for facilities construction;

488. $50,000 to the Lackawanna Area Chamber of Commerce, in conjunction with the Lackawanna Community Development Corporation and local veterans organizations, for the Veterans' Stadium Restoration Project in Lackawanna, New York;

489. $60,000 to the Town of Niagara, New York to complete buildout of a community center;

490. $100,000 to Eastern Long Island Hospital in Greenport, New York for facilities renovation;

491. $100,000 to the Town of Brookhaven, New York for construction of the Gorden Heights Community Center;

492. $75,000 to the Broome County Jewish Community Center in Binghamton, New York for renovation and construction of an early childhood development center;

493. $75,000 to the United Cerebral Palsy Association of Greater Suffolk, Inc. in Suffolk County, New York for land acquisition;

494. $75,000 to the Town of Freeport, New York for renovations of buildings;

495. $75,000 to the Town of North Hempstead, New York for streetscape, façade and building renovation in the hamlet of New Cassel;

496. $75,000 to the Cross Island YMCA of Queens, New York for facilities expansion and renovation;

497. $75,000 to the Jamaica YMCA of Jamaica in New York, New York for facilities expansion and renovation;

498. $75,000 to 1409 Enterprises, Inc. in Buffalo, New York for facilities renovation;

499. $80,000 to Wayne County, New York for relocation of and renovations to the Wolcott Carriage House;

500. $80,000 to the Castle Hill, Bronx, New York YMCA for facilities construction;

501. $100,000 to the Staten Island Economic Development Corporation located in New York for completion of an updated Overall Economic Development Plan;

502. $350,000 to the Metropolitan Development Association in Syracuse, New York for the VISION 2010 Economic Development plan;

503. $100,000 to Wayne County, New York for a feasibility study on the planned reuse of the surplus real estate of the Newark Developmental Center Area;

504. $100,000 to the City of Syracuse, New York for renovations to the Redhouse Theater;

505. $100,000 to the Gloria Wise Boys and Girls Club in the Bronx, New York for facilities renovation;

506. $100,000 to the Town of Greenburgh, New York for expansion and renovation of a public library;

507. $100,000 to the Village of Hastings-on-Hudson, New York for renovations to a senior and youth community center;

508. $100,000 to the Village of Briarcliff Manor, New York for streetscape improvements;

509. $100,000 to the Regional Foodbank of Northeastern New York for construction and renovation of facilities;

510. $100,000 to the 59th Street Recreation Center in New York, New York for facilities renovation;

511. $100,000 to the City of New York's Department of Parks and Recreation for construction of a nature center in Crotona Park;

512. $110,000 to Cayuga County, New York for rehabilitation of the Sterling Renaissance Performance Artist Guild facilities in the Town of Sterling, New York;

513. $100,000 to the Erie Canalway National Heritage Corridor Commission in New York State to finalize planning activities for the Commission's comprehensive management plan;

514. $125,000 to the Village of Saugerties, New York for streetscape including sidewalk replacement;

515. $125,000 to the Town of Sleepy Hollow, New York for construction of a new senior center;

516. $280,000 to the City of Yonkers, New York for renovation of the Nepperhan Valley Technology Center;

517. $125,000 to Alianza Dominicana Inc. in New York, New York for facilities construction;

518. $125,000 to Boricua College in New York for building renovation;

519. $125,000 to the Washington Heights' Armory Foundation for facilities renovations in New York;

520. $140,000 to the Broadway Market Management Corp. in Buffalo, New York for renovation of the Broadway Market;

521. $150,000 to the Staten Island University Hospital for the construction of the Regina McGinn Education Center in New York;

522. $150,000 to On Your Mark in Staten Island, New York for facilities renovations for a community center;

523. $150,000 to the Town of Lancaster, New York for construction activities of the Landmark Clock project;

524. $150,000 to the Village of Owego, New York for construction of a community center;

525. $150,000 to LaGuardia Community College in New York for facilities renovation to house a small business incubator;

526. $150,000 to the Brooklyn Public Library in New York for restoration of the central plaza;

527. $200,000 to the Elizabeth Pierce Olmsted Center in Cheektowaga, New York for construction of an affordable housing project for handicapped individuals with an emphasis on individuals with visual impairments;

528. $200,000 to the City of Syracuse, New York for renovation of the Girls Inc. building;

529. $200,000 for Cornwall, New York for Main Street revitalization;

530. $200,000 to Onondaga County, New York for restoration of the Nine Mile Creek Aqueduct in Camillus, New York;

531. $200,000 to the Hebrew Academy for Special Children in Brooklyn, New York for construction and renovation of a facility;

532. $200,000 to Schenectady, New York for expansion of Proctor's Theatre;

533. $200,000 to the Greater Ridgewood Restoration Corporation in New York for streetscape improvements along the Brooklyn/Queens border;

534. $225,000 to Putnam County, New York for streetscape improvements along the Rt. 52 Corridor;

535. $225,000 to D'Youville College in Buffalo, New York for facilities renovation, expansion and buildout for the D'Youville College Library Improvement project;

536. $250,000 to the City of Syracuse, New York for renovations to a stone building in Elmwood Park;

537. $250,000 to the City of Syracuse, New York for facilities renovation of the Open Hand Theater;

538. $250,000 to Onondaga County, New York for construction and expansion of the North Area YMCA;

539. $250,000 to the State University of New York Environmental School of Forestry for facility renovations and improvements in Onondaga Park;

540. $250,000 to the City of Syracuse, New York for Automobile Row streetscape improvements;

541. $275,000 to the Natural History Museum of the Adirondacks for construction of a new museum in New York;

542. $280,000 to the Bedford-Stuyvesant YMCA in Brooklyn, New York for renovation and construction of a youth and family center;

543. $300,000 to Houghton College, New York for renovation of the Paine Science Center;

544. $300,000 to Wayne County, New York for demolition and facilities construction improvements at Sodus Point Park;

545. $350,000 to Per Scholas: Workforce Enterprise Service in the Bronx, New York for renovation of warehouse space to house the WorkSmart program;

546. $400,000 to the Mary Mitchell Family and Youth Center in the Bronx, New York for construction of the Austin Jacobo Center for Community Leadership;

547. $350,000 to the State University of New York College of Environmental Science and Forestry for the acquisition, renovation and construction of facilities for the North Country Campus Economic Development and Improvement Program in Clayton, New York;

548. $100,000 to the Battle of Plattsburgh Association in Plattsburgh, New York to rehabilitate a building on the former Plattsburgh Air Force Base;

549. $450,000 to the Belmont Shelter Corporation for the construction of the Shawnee Landing Senior Apartments in Wheatfield, New York;

550. $450,000 to the Metropolitan Museum of Art in New York City for façade restoration improvements;

551. $220,000 to the Museum of Modern Art in New York City for expansion and renovations to the Education and Research Center;

552. $450,000 to Jazz at Lincoln Center in New York City for facilities construction;

553. $450,000 to the New York Public Library in New York City for renovations to their Map Division;

554. $500,000 to Onondaga County, New York for renovations to the Fayetteville Library;

555. $500,000 to the City of Syracuse, New York for facilities restoration and expansion of the Landmark Theater;

556. $500,000 to the WXXI Public Broadcasting Council in Rochester, New York for facilities construction and improvements for an Educational Outreach Center;

557. $500,000 to Wayne County, New York to construct a new Livestock building at the Wayne County fairgrounds;

558. $750,000 to the New York State Olympic Regional Development Authority for facilities construction;

559. $1,000,000 to Nazareth College in Rochester, New York for renovations of their Academic Center;

560. $1,250,000 to Utica College of Syracuse in Utica, New York for design and construction for the expansion of science facilities;

561. $100,000 to the City of Utica, New York for construction of the North Utica Senior Citizens Recreation Center;

562. $100,000 to the City of Mount Vernon, New York for restoration of an abandoned building into a job training and cultural center;

563. $215,000 to the Simon Wiesenthal New York Tolerance Center in New York City for facilities renovation;

564. $250,000 to Greene County, New York for the Michael J. Quill Irish Cultural and Sports Centre for facilities renovations;

565. $75,000 to CAARE, Inc. in Durham County, North Carolina for construction, renovation and buildout of a one-stop service center for individuals affected by HIV/AIDS;

566. $100,000 to the City of Greenville, North Carolina for building demolition and building renovation in the West Greenville neighborhood;

567. $100,000 to the North Carolina Institute of Minority Economic Development for restoration, renovation and buildout of a building in downtown Durham, North Carolina;

568. $125,000 to North Carolina Community Development Initiative Capital, Inc. for capitalization of a loan fund;

569. $125,000 to the Food Bank of North Carolina for renovation and buildout of a food bank facility;

570. $300,000 for Bennett College, Greensboro, North Carolina for a community revitalization project;

571. $150,000 to the Center for Community Self-Help in Durham, North Carolina for acquisition of property;

572. $175,000 to the City of Raleigh, North Carolina for reuse planning for the Fayetteville Street Mall and for streetscape improvements, pedestrian benches, street lights, tree planting, entertainment space construction and water fountain construction;

573. $200,000 to the Town of Wadesboro, North Carolina for facilities renovations to the Ansonia Theatre;

574. $200,000 to the City of Durham, North Carolina for revitalizing Historic Parrish Street, including facilities construction/renovation and buildout; economic development planning assistance; sidewalks, street furniture, and façade improvements; and land acquisition;

575. $200,000 to the Grape Arbor Development Corporation for construction and buildout of a Youth Enhancement Center;

576. $150,000 to Scotland County, North Carolina for facilities expansion and construction for the Scotland County Recreation Center;

577. $200,000 to North Carolina Central University for construction, buildout, and equipment for a bioprocessing research institute;

578. $265,000 to Mayland Community College in Spruce Pine, North Carolina for facilities renovations for the Lexington project;

579. $100,000 for the Graveyard of the Atlantic Museum, Hatteras, North Carolina to complete construction;

580. $125,000 to the Central Piedmont Community College American Academy of Applied Forensics in Charlotte, North Carolina for facilities construction;

581. $275,000 to the Town of Troy, North Carolina for a pilot program for the construction of affordable housing;

582. $750,000 to the Pisgah Forest Institute at Brevard College in Brevard, North Carolina for facilities construction;

583. $200,000 to the North Carolina Museum of Natural Sciences for construction of the Nature Research Center;

584. $500,000 for Transylvania County, North Carolina for construction of a library;

585. $600,000 for the City of Rugby, North Dakota to complete information technology and energy projects;

586. $400,000 for Lewis and Clark CommunityWorks, Bismarck, North Dakota for the Mandan Library Square project;

587. $500,000 for the Northwest Venture Communities Inc., Minot, North Dakota for the construction of the Northwest Career and Technology Center;

588. $500,000 for Three Affiliated Tribes Tourism Department, New Town, North Dakota for a cultural interpretive center;

589. $600,000 to Sitting Bull College on the Standing Rock Sioux Reservation in North Dakota for facilities planning and construction;

590. $100,000 for Jamestown, Ohio to renovate the Jamestown Opera House;

591. $100,000 to Tuscarawas County, Ohio for infrastructure for an industrial park;

592. $100,000 to Ross County, Ohio for construction of a regional multipurpose facility in Chillicothe, Ohio;

593. $100,000 to the Center for Families and Children in Cleveland, Ohio for design and construction of a medical campus;

594. $100,000 to COMPASS Toledo in Toledo, Ohio for facilities rehabilitation;

595. $100,000 to Ohio Theatre, Inc. in Toledo, Ohio for marquee and facade rehabilitation of the Ohio Theatre;

596. $100,000 to North River Development Corporation in Toledo, Ohio for economic development planning for the Galena Street Redevelopment Project;

597. $100,000 to the Bay Area Neighborhood Development Corporation in Sandusky, Ohio for facilities improvements and construction in blighted areas;

598. $125,000 to the Ottawa Community Development Corporation in Toledo, Ohio for building construction and renovation along Monroe Street;

599. $125,000 to the East Toledo Family Center in Toledo, Ohio for building renovations;

600. $200,000 to Oberlin College, Oberlin, Ohio for construction to support the East College Street Project;

601. $200,000 to the City of Toledo, Ohio for renovation of a community recreation facility;

602. $200,000 to the J. Frank Troy Senior Center in Toledo, Ohio for renovation and construction;

603. $225,000 to the Dayton/Montgomery County Port Authority, Ohio for land acquisition, demolition, and site development for a commercial office center at Patterson Place;

604. $275,000 to the City of St. Clairsville, Ohio for restoration of the Clarendon Hotel;

605. $300,000 for Ohio Wesleyan University to renovate Merrick Hall;

606. $300,000 for Catholic Social Services in Springfield, Ohio for renovation of a facility to house the Second Harvest Foodbank;

607. $300,000 for the Springfield Arts Council for renovation of the Veterans Park Amphitheater in Springfield, Ohio;

608. $350,000 to the Cincinnati Museum Center in Cincinnati, Ohio for restoration and expansion of facilities;

609. $350,000 to Lake Erie College in Painesville, Ohio for construction of an athletic and wellness center;

610. $450,000 to the Portsmouth Area Chamber of Commerce in Portsmouth, Ohio for construction of the Sciot County Welcome Center;

611. $2,300,000 to the City of Canton, Ohio for land acquisition and related site preparation activities;

612. $500,000 to the Dayton Development Coalition, Ohio for land and site acquisition, demolition, site preparation and facilities construction;

613. $700,000 for Franklin County Metro Parks, Franklin County, Ohio for the purchase of land in the Darby Creek Watershed;

614. $1,000,000 for the City of Dayton, Ohio for the development of structures in the W. Third Street Historic District;

615. $500,000 for the Toledo-Lucas County Port Authority for the Northwest Ohio Brownfield Restoration Initiative;

616. $300,000 for the Cleveland Advanced Manufacturing Program [CAMP], Ohio to renovate and continue construction of the Cleveland Manufacturing Technology Complex [CMTC];

617. $450,000 for the Johnny Appleseed Heritage Center, Inc. in Ashland County, Ohio for construction of facilities;

618. $800,000 to the Dayton Development Coalition for the development of a commercial and industrial site near the airport in Dayton, Ohio;

619. $250,000 to the Village of Cedarville, Ohio for the construction of a library;

620. $500,000 for Miami University of Ohio in Oxford, Ohio for construction of biological science facilities;

621. $150,000 to the Heartland of American Foundation for facilities construction for the Heartland of America Museum in Weatherford, Oklahoma;

622. $150,000 to Area Neighbors in Wagoner, Oklahoma for facilities construction;

623. $225,000 to the Lawton/Fort Sill Chamber of Commerce and Industry in Lawton, Oklahoma for construction of the National Army Museum of the Southwest;

624. $225,000 to the Standing Bear Museum and Education Center in Ponca City, Oklahoma for facilities construction;

625. $90,000 to the City of Portland, Oregon for Portland Central City streetscape and neighborhood integration planning;

626. $100,000 to the City of Portland, Oregon for architectural and engineering design for the Portland Public Market;

627. $200,000 to the City of Salem, Oregon for construction of a civic center;

628. $275,000 for Union and Wallowa Counties, Oregon for purchase of a railroad line for tourism development;

629. $200,000 for the City of The Dalles, Oregon for the completion of a fiber optic loop;

630. $800,000 for the Portland Development Commission, Portland, Oregon for the South Waterfront Greenway Project;

631. $400,000 for the Portland Development Commission, Portland, Oregon for affordable housing in North Macadam Central District;

632. $200,000 for the City of Portland, Oregon for the Central City Eastside Streetcar project;

633. $100,000 for the City of Astoria, Oregon for restoration to the Astoria Column Cultural Heritage Center;

634. $50,000 for the Umatilla Community Recreation Center, Oregon for construction;

635. $75,000 to the Penn-Brad Oil Museum in Bradford, Pennsylvania for facilities improvements and landscaping;

636. $110,000 to the City of Philadelphia, Pennsylvania for Blue Horizon façade restoration and facilities rehabilitation;

637. $75,000 to the Rock School in Philadelphia, Pennsylvania for facilities renovation;

638. $200,000 to the City of Pittsburgh, Pennsylvania for building demolition, renovation, and streetscape improvements as part of the Pittsburgh Neighborhood Needs Program;

639. $75,000 to the Lawrenceville Corporation in Pittsburgh, Pennsylvania for land acquisition and site preparation;

640. $75,000 to the Shadyside, Pennsylvania Chamber of Commerce for streetscape and lighting improvements along the Walnut Street business corridor;

641. $100,000 for the Urban Redevelopment Authority, in Pittsburgh, Pennsylvania, to revitalize the Centre Avenue Corridor through acquisition and redevelopment of vacant structures and lots in the community;

642. $100,000 to the Borough of Morrisville, Pennsylvania for a redevelopment study;

643. $100,000 to the Hepatitis B Foundation in conjunction with Delaware Valley College for the planning and design of a Biotechnology Research Complex in the Philadelphia suburbs of Bucks County, Pennsylvania;

644. $120,000 to the National Trust for Historic Gettysburg, Pennsylvania for restoration of the Majestic Theater;

645. $100,000 to the Strand-Capitol Performing Arts Center in York City, Pennsylvania for facilities renovation;

646. $100,000 to the Sultan Ahmad Community Foundation in Philadelphia, Pennsylvania for community center construction;

647. $100,000 to ONUNDE, Inc. of Philadelphia, Pennsylvania for facility construction;

648. $100,000 to the Absalom Jones Foundation in Philadelphia, Pennsylvania for renovation of the Historic Grand Lodge;

649. $100,000 to the Philadelphia Dance Company in Pennsylvania for renovation of performance facilities;

650. $100,000 to the Greater Germantown Housing Development Corporation in Philadelphia, Pennsylvania for renovations to buildings;

651. $100,000 to the Parkside Historic Preservation Corporation in Philadelphia, Pennsylvania for renovations to buildings;

652. $100,000 to Cheltenham Township, Pennsylvania for renovations to buildings;

653. $135,000 to Mt. Airy USA in Philadelphia, Pennsylvania to continue a redevelopment and urban renewal initiative;

654. $100,000 to the Beech Capital Venture Corporation in Philadelphia, Pennsylvania for renovations to buildings;

655. $100,000 to Mercy-Douglass Center of Philadelphia, Pennsylvania for facilities renovation;

656. $100,000 to the Borough of Jenkintown, Pennsylvania for renovation of a theater;

657. $100,000 to the Borough of Minersville, Pennsylvania for streetscape improvements;

658. $100,000 to the Seldom Seen Mine in Patton, Pennsylvania for facilities renovations to permit display of equipment;

659. $125,000 to the City of Lebanon, Pennsylvania for demolition and building restoration;

660. $125,000 to the City of Lebanon, Pennsylvania for construction of recreation facilities for the Lebanon Valley Family YMCA;

661. $125,000 to the City of Pittston, Pennsylvania for land acquisition, facilities renovation and demolition;

662. $125,000 to the City of Scranton, Pennsylvania for land acquisition, facilities renovation and demolition;

663. $250,000 for the Scranton Cultural Center at the Masonic Temple for facilities renovation and expansion;

664. $150,000 to the Pennridge Senior Center for the planning, design, and construction of a senior center in Perkasie, Pennsylvania;

665. $150,000 to the Borough of Donora, Pennsylvania for construction of a pavilion at Palmer Park;

666. $300,000 to Indiana University of Pennsylvania for construction of an on-campus multi-use facility;

667. $100,000 to the Borough of Northern Cambria, Pennsylvania for construction of a community recreation center;

668. $200,000 to Fayette County, Pennsylvania for renovation of the Wellness and Research Center;

669. $200,000 to Greene County, Pennsylvania for renovation of a community center;

670. $225,000 to the Phoenixville Area Economic Development Corporation for restoration of the Phoenixville Foundry building in Phoenixville Borough, Pennsylvania;

671. $225,000 to the Westmoreland County Industrial Development Corporation for property acquisition and demolition for the Jeannette, Pennsylvania Downtown Redevelopment Plan;

672. $250,000 to the Urban Education Research and Retreat Center in Philadelphia, Pennsylvania for facility renovations at the 4601 Market Street Building;

673. $250,000 to the City of Lower Burrell, Pennsylvania for construction of recreational facilities at Community Park, including a pavilion;

674. $250,000 to Seton Hill College in Greensburg, Pennsylvania for construction of recreational facilities;

675. $300,000 to the Borough of Brownsville, Pennsylvania for building renovation;

676. $300,000 to Washington & Jefferson College in Washington, Pennsylvania for renovation of downtown buildings;

677. $300,000 to Ford City, Pennsylvania for renovation of industrial park buildings;

678. $300,000 to Westmoreland County, Pennsylvania for building renovation in the Monessen Riverfront Industrial Park;

679. $325,000 to the University Technology Park, Inc. in Chester, Pennsylvania for facilities construction;

680. $350,000 to the Oil Creek Railway Historical Society located in Titusville, Pennsylvania for facilities renovations, upgrades, landscaping and for the purchase of railway cars;

681. $350,000 for construction of a community center in Dushore, Sullivan County, Pennsylvania;

682. $450,000 to the City of Johnstown, Pennsylvania for continuation of construction of a war memorial and conference center;

683. $200,000 to the City of Uniontown, Pennsylvania for construction related to Bailey Park and downtown streetscape, beautification, building renovation and restoration;

684. $150,000 to the Borough of Mount Pleasant, Pennsylvania for facilities improvements to the Veterans Park including construction of a veterans wall, monumental fountain, and ceremonial stage;

685. $150,000 to the City of Johnstown, Pennsylvania for renovations of historic Point Stadium;

686. $100,000 for Universal Community Homes in Philadelphia, Pennsylvania, to continue the conversion of more than 500 parcels of land into for-sale units to low- and moderate-income families;

687. $100,000 to the Erie Municipal Airport Authority in Erie, Pennsylvania, for the redevelopment of the recently acquired, former Fenestra window manufacturing facility to serve the needs of major air express carriers as an on-airport integrated service center;

688. $300,000 to the Community Initiatives Development Corporation, Our City Reading, in Reading, Pennsylvania, for the rehabilitation of abandoned houses and parks to provide quality home ownership opportunities to low-income families;

689. $50,000 for the City of Erie, Pennsylvania, for site preparation and redevelopment of the vacant and blighted Koehler Brewery Building;

690. $150,000 for the Borough of Lehighton, Pennsylvania, to establish a Market Towns Community Technology Center, which will serve as a community technology center to support the Corridor Market Towns regional revitalization initiative;

691. $125,000 for Downtown Chambersburg, Inc., in Chambersburg, Pennsylvania, to construct the Capitol Theatre Center and preserve the 1927 Capitol Theatre as part of a regional arts initiative;

692. $100,000 for the Chester Economic Development Authority, in Chester, Pennsylvania, for the redevelopment of the blighted and vacant waterfront district, including the former PECO power station into office space;

693. $75,000 for the Warner Theater Preservation Trust, in Erie, Pennsylvania, to restore and expand the historic Warner The-

ater, which will serve as the centerpiece of a regional performing arts venue;

694. $100,000 for the City of Bradford, Pennsylvania, to assist with the rehabilitation of the Old City Hall Building as the cornerstone of the city's urban redevelopment plan;

695. $250,000 for the Greater Wilkes-Barre Chamber of Business and Industry, in Wilkes-Barre, Pennsylvania, for the acquisition and redevelopment of the historic Irem Temple, which will be converted into a cultural center;

696. $75,000 for Nueva Esparanza, in Philadelphia, Pennsylvania, to create a Latino Corridor, as part of an inner city development initiative to transform neighborhood vacant lots and abandoned homes into a vibrant commercial corridor;

697. $150,000 for Jefferson Square Community Development Corporation, in Philadelphia, Pennsylvania, for a home ownership development initiative aimed at rejuvenating the inner-city through blight removal and construction of modern, low-income homes;

698. $75,000 for Enterprise Center CDC, in Philadelphia, Pennsylvania, for the design and development of Enterprise Heights, which will contain 50,000 square feet of new and rehabilitated office and retail space;

699. $100,000 for the Allegheny County Department of Economic Development in Allegheny County, Pennsylvania, for the redevelopment of the former U.S. Steel Carrie Furnace site, as part of an effort to stabilize the community through the integration of the former industrial area, the adjacent neighborhoods and the riverfront;

700. $200,000 for the Allegheny County Department of Economic Development for the construction of an Industrial Park in McKeesport, Pennsylvania, including the rehabilitation of a former USX Tube Works site utilizing high performance building techniques;

701. $75,000 for the City of Hazleton, Pennsylvania, for the Pine Street Neighborhood Development Project, including the acquisition and demolition of a blighted warehouse, as well as construction of affordable housing and an office building to house area non-profit organizations, which will offer social services to city residents;

702. $75,000 for the South Philadelphia Area Revitalization Corporation, in Philadelphia, Pennsylvania, for the construction of low- and moderate-income housing;

703. $100,000 for the Greater Johnstown Regional Partnership, in Johnstown, Pennsylvania to construct a regional technology center as part of a community revitalization initiative;

704. $75,000 for the Columbia Alliance for Economic Growth, in Bloomsburg, Pennsylvania, for technological infrastructure improvements for the Bloomsburg Regional Technology Center;

705. $300,000 for the City of Lancaster, Pennsylvania for the development of an entertainment/retail complex;

706. $75,000 for the Historic Preservation Trust of Lancaster County, Pennsylvania, for rehabilitation of facilities at the Thaddeus Stevens and Lydia Hamilton Smith historic site;

707. $200,000 to the City of Philadelphia, Pennsylvania, to support the Neighborhood Transformation Initiative, which will demolish abandoned homes as well as revitalize the Philadelphia region;

708. $125,000 to the Ogontz Avenue Revitalization Corporation in Philadelphia, Pennsylvania, to assist with substantial rehabilitation of severely deteriorated vacant properties that will be developed as a part of the West Oak Lane community development rebuilding initiative;

709. $100,000 to the Philadelphia Chinatown Development Corporation in Philadelphia, Pennsylvania, for the construction of a Chinatown Community Center;

710. $75,000 to the Invest Erie Community Development Corporation in Erie, Pennsylvania, for the acquisition and development of property to establish a Parade Street Plaza;

711. $100,000 to the Town of Burrillville, Rhode Island for health/fitness and recreational facilities construction and renovation at the Branch River and Hauser Memorial Field Park areas, including pedestrian walkways;

712. $250,000 to the City of Central Falls, Rhode Island for recreational facilities construction and renovation;

713. $200,000 to Salve Regina University in Newport, Rhode Island facilities renovations to accommodate laboratory facilities;

714. $700,000 for the Salvation Army of Rhode Island, Providence, Rhode Island for construction of a day care center;

715. $130,000 for the City of North Providence, Rhode Island for construction of a senior center;

716. $300,000 for the YMCA of Greater Providence, Rhode Island for the Village of Promise project;

717. $300,000 for the Sexual Assault and Trauma Center of Rhode Island, Providence, Rhode Island to purchase a building for the Children's Advocacy Center;

718. $300,000 for the Providence Public Library, Rhode Island for renovations;

719. $450,000 for the Johnston Senior Citizens Center, Johnston, Rhode Island for the construction of a new senior center;

720. $170,000 for AS220 and Perishable Theatre, Providence, Rhode Island for building refurbishment;

721. $300,000 for the Pawtucket Armory Association in Pawtucket, Rhode Island for the renovation of the Pawtucket Armory as an arts center;

722. $200,000 for the Warwick Boys and Girls Club, Warwick, Rhode Island for building renovations;

723. $150,000 for the Trinity Repertory Theatre, Providence, Rhode Island for the construction of the Pell Chafee Performance Center;

724. $100,000 for Travelers Aid in Providence, Rhode Island for building renovations;

725. $100,000 for the Institute for the Study and Practice of Nonviolence for the renovation of the institute in Rhode Island;

726. $100,000 for the Town of Bristol, Rhode Island for the redevelopment of the waterfront complex;

727. $100,000 for the Roger Williams Park in Providence, Rhode Island for the construction of the Botanical Gardens;

728. $50,000 for the Seabee Museum and Memorial park in North Kingstown, Rhode Island for costs associated with construction;

729. $50,000 for Harmony Hill School in Chepachet, Rhode Island for construction of Harmony House;

730. $100,000 to the Eau Claire Development Corporation in South Carolina for land acquisition near Farrow Road;

731. $150,000 to the Golden Harvest Food Bank in Aiken, South Carolina for facilities expansion for the Feed the People project;

732. $150,000 to Lee County, South Carolina for Ashwood Gymnasium renovations;

733. $150,000 to Calhoun County, South Carolina for construction of a community recreational facility;

734. $225,000 to the South Carolina School for the Deaf and Blind in Spartanburg, South Carolina for facilities renovation;

735. $1,000,000 for the Five Rivers Community Development Corporation, Georgetown, South Carolina for economic development and affordable housing;

736. $500,000 to the Winchester Conservation Museum, Edgefield, South Carolina for expansion;

737. $2,000,000 for Wakpa Sica Historical Society in Fort Pierre, South Dakota for the Wakpa Sica Reconciliation Center;

738. $400,000 for the City of Parker, South Dakota for the development of a community center;

739. $400,000 for the City of Beresford, South Dakota for the Beresford Industrial Infrastructure Development project;

740. $200,000 for the Aberdeen Workforce Development Council, Aberdeen, South Dakota for costs associated with the Workforce Development Center;

741. $50,000 for the Canton Economic Development Corporation, Canton, South Dakota for infrastructure development;

742. $1,000,000 for Dakota Wesleyan University, Mitchell, South Dakota for facilities construction for the McGovern Library and Center for Public Service;

743. $350,000 for the City of Sioux Falls, South Dakota for the expansion and rehabilitation of the Orpheum Theatre;

744. $200,000 for the City of Vermillion, South Dakota for the expansion of the Center for Children and Families;

745. $100,000 for the City of Redfield, South Dakota for renovations and improvements to the Carnegie Library;

746. $250,000 to the 28th Legislative District Community Development Corporation for planning activities for the redevelopment of the Bushtown community in Chattanooga, Tennessee;

747. $100,000 to the Cocaine & Alcohol Awareness Program, Inc. in Tennessee for renovation and construction of facilities;

748. $500,000 to Hamilton County, Tennessee for facilities construction for a Center for Entrepreneurial Growth Incubator;

749. $450,000 to Knox County, Tennessee for facilities preservation, construction, renovation and expansion at the Beck Cultural Exchange Center, the Blount Mansion, the Ramsey House and at Willow Creek Youth Park for the Knox Cultural and Tourism initiative;

750. $575,000 to the Bijou Theatre Center in Knoxville, Tennessee for facilities renovations;

751. $100,000 to Fisk University in Nashville, Tennessee for facilities construction;

752. $900,000 for the Five Points Commercial Development Project in Knoxville, Tennessee to develop abandoned, blighted, and underdeveloped commercial areas;

753. $500,000 for Rolling Mill Hills in Nashville, Tennessee to revitalize distressed urban areas;

754. $500,000 for the New Town Center at Soulsville in Memphis, Tennessee to support economic and community development;

755. $500,000 for the Chattanooga Riverfront Development Project, Chattanooga, Tennessee to create new park space and other improvements along the riverfront;

756. $100,000 for the Historic Rugby Economic Development Project in Rugby, Tennessee to develop new visitor facilities and encourage economic growth;

757. $500,000 for the Tennessee State University Communications Enhancement Initiative in Nashville, Tennessee to complete a performing arts center and support community programs;

758. $75,000 to the San Antonio Food Bank in San Antonio, Texas for land acquisition and facility buildout;

759. $100,000 to Williamson County, Texas for construction of a community center;

760. $100,000 to the City of Temple, Texas for land acquisition and building demolition along Martin Luther King Boulevard;

761. $100,000 to the McAllen Boys and Girls Club in McAllen, Texas for construction;

762. $220,000 for the City of Beaumont, Texas for the Downtown Improvement Program;

763. $100,000 to the Marshall Downtown Development Corporation, Marshall, Texas for planning and renovation to permit reuse of a downtown building;

764. $100,000 to the Abilene Preservation League, in Abilene, Texas for restoration of the Swenson House;

765. $100,000 to the San Angelo Old Town Conservancy, Inc. in San Angelo, Texas for restoration of the Runkles and Rackley Building for reuse;

766. $150,000 to the City of Houston, Texas for construction of the Townwood Community Center;

767. $150,000 to the City of Dallas, Texas for Farmers Market renovation;

768. $150,000 to the City of El Paso, Texas for restoration of the Plaza Theatre;

769. $150,000 to the City of San Angelo, Texas for renovation of tourism facilities;

770. $200,000 to the Permian Basin Petroleum Museum in Midland, Texas for facilities renovations and improvements;

771. $200,000 to the City of Fort Worth, Texas for renovation of the Clark's Department store building for reuse;

772. $225,000 to the Brazos Valley Family Medicine Center in Bryan, Texas for facilities improvements and buildout for the Center for Excellence in Family Medicine and Rural Primary Care;

773. $225,000 to the City of La Feria, Texas for construction of a Boys and Girls Club;

774. $400,000 to the City of Waco, Texas for construction of a community center;

775. $350,000 to the Old Red Courthouse, Inc. in Dallas, Texas for facilities restoration and improvements;

776. $950,000 to Rice University for construction of the Rice University-Texas Medical Center Joint Research Facility in Houston, Texas;

777. $1,000,000 to the City of Fort Worth, Texas for construction of urban waterfront improvements for the Trinity River Vision Project;

778. $900,000 for Christus Santa Rosa Children's Hospital in San Antonio, Texas for facilities upgrades;

779. $100,000 to the City of Greenville, Texas for renovations to downtown buildings;

780. $240,000 to the City of Dallas, Texas for restoration of the Texas Theatre;

781. $100,000 to the Martin Luther King, Jr. Community Center (King Center) in Houston, Texas for facilities renovations;

782. $100,000 to Harris County, Texas for an economic development study for the Precinct 2 Harris County Unincorporated Revitalization Program;

783. $100,000 to the City of Brownsville, Texas for construction and facilities buildout needs for a family and business development center;

784. $200,000 to the Audie Murphy/American Cotton Museum in Hunt County, Texas for construction of the Hunt County Veterans Memorial and the Audie Murphy Hall of American Heroes;

785. $500,000 to the University of the Incarnate Word in San Antonio, Texas for facilities renovation for the Math, Science and Engineering Center;

786. $250,000 for the City of San Angelo, Texas for the Innovative Low Income Housing Financing Initiative;

787. $450,000 for the Greater Kelly USA Development Authority, San Antonio, Texas for the Kelly USA Economic Development for Commerce for a manufacturing site served by rail;

788. $200,000 for the City of Denton, Texas for the downtown redevelopment and infrastructure improvements;

789. $300,000 for the City of Dallas, Texas for the Eagle Ford Low Income Housing Project for the development of affordable housing for low and moderate-income families;

790. $200,000 for Camp Fire USA, Texas for costs associated with multiple construction projects;

791. $200,000 for the Border Trade Alliance, Texas for the Economic Health of the Southwest Border project;

792. $200,000 for the City of Austin, Texas for the SMART (Safe, Mixed-Income, Accessible, Reasonably-Priced and Transit-Oriented) Housing Program;

793. $300,000 for the Chinese Community Center, Houston, Texas to develop a new center site;

794. $200,000 for Holt Hotel in Wichita Falls, Texas for continued renovations to the Holt Hotel;

795. $200,000 for the Science Spectrum in Lubbock, Texas for the Science Spectrum Aerospace Exhibit to design and construct a 5,000 square foot permanent, hands-on exhibition demonstrating the science and engineering principles of powered flying machines, including aerospace concepts;

796. $400,000 for the City of Austin, Texas for renovations needed, associated with the 2006 World Congress on Information Technology, to the Austin Community Center;

797. $300,000 for the St. Philip's Development Board, Dallas, Texas for the St. Philip's Neighborhood Development Plan;

798. $100,000 to the Utah Shakespearean Festival for architectural and engineering design of a performance facility;

799. $100,000 to Salt Lake City, Utah for streetscape improvements in the Ninth and Ninth neighborhood;

800. $150,000 to West Valley City, Utah for facilities construction and renovation for the Cultural Celebration Center;

801. $225,000 to the City of Tremonton, Utah for construction of a Historic Wagon Museum;

802. $1,000,000 for the City of Provo, Utah for the Pioneer Neighborhood Revitalization project;

803. $1,000,000 for the City of Ogden, Utah for the Ogden Central Neighborhood Redevelopment project;

804. $500,000 for the City of Logan, Utah for Northwest Public Park project;

805. $500,000 for Salt Lake City, Utah for the Pete Suazo Business Center to purchase building space;

806. $500,000 for Syracuse City, Utah for the Syracuse City Senior Citizen and Community Center for construction;

807. $500,000 for the Vermont Institute of Natural Science, Woodstock, Vermont for the construction of a wildlife rehabilitation facility;

808. $400,000 for the Vermont Housing and Conservation Board, Montpelier, Vermont for the creation of affordable rental housing in downtown Brattleboro;

809. $100,000 for the City of Burlington, Vermont for the construction of the Lake Champlain Navy Memorial;

810. $1,000,000 for the Vermont Center on Emerging Technologies, Burlington, Vermont for the development of a technology incubator;

811. $200,000 for the Vermont Housing and Conservation Board, Montpelier, Vermont for construction of affordable housing in St. Albans, Vermont;

812. $250,000 for the Northern Community Investment Corporation, St. Johnsbury, Vermont for development of the Newport Area Family Services project;

813. $400,000 for the Vermont Housing and Conservation Board, Montpelier, Vermont for construction of affordable housing in Essex, Vermont;

814. $150,000 for the Vermont Broadband Council to expand broadband services in rural Vermont;

815. $90,000 to the Southern Vermont Recreation Center Foundation, in Springfield, Vermont for the construction of a community center;

816. $100,000 to the Department of Buildings and General Services of the State of Vermont for construction of veterans memorials in Springfield and Putney, Vermont;

817. $75,000 for the Rockfish Community Center in Nelson County, Virginia for roof replacement;

818. $75,000 for the Town of Boydton, Virginia for downtown revitalization;

819. $100,000 to the Lorton Arts Foundation, Incorporated in Lorton, Virginia for facilities renovation and construction;

820. $100,000 for the Sedalia Center in Bedford County, Virginia to assist with construction costs of this regional cultural center;

821. $100,000 for the Colonial Theater in the Town of South Hill, Virginia to assist with renovation efforts;

822. $100,000 to the John Singelton Mosby Museum Foundation in Warrenton, Virginia for facilities renovations;

823. $100,000 to the Arlington Housing Corporation in Arlington County, Virginia for property acquisition, building demolition and facilities rehabilitation;

824. $100,000 to the Reston Association in Reston, Virginia for construction of the Reston Southgate Community Center;

825. $100,000 to Fairfax County, Virginia for construction of the Richmond Highway Town Center;

826. $100,000 to Volunteers of America, Chesapeake, Inc. for renovation of the Bailey's Crossroads Community Shelter in Virginia;

827. $100,000 to Community Lodgings in Alexandria, Virginia for renovations to a family learning center;

828. $100,000 to the Boys and Girls Club of Greater Hampton Roads, Virginia for facilities renovations and upgrades;

829. $100,000 to the Children's Museum of Virginia in Portsmouth, Virginia for facilities renovation and expansion;

830. $125,000 to Craig County, Virginia for construction of a library;

831. $125,000 to the Dabney S. Lancaster Community College in Virginia for construction of the Virginia Packaging Applications Center;

832. $150,000 to the City of Suffolk, Virginia for construction of the Great Dismal Swamp Visitors Center;

833. $150,000 for the North Theater in the City of Danville, Virginia to assist with renovation efforts;

834. $200,000 to the Imani Intergenerational Community Development Center, Inc. for facilities construction and renovation of the 1400 block of Hull Street in Richmond, Virginia;

835. $200,000 to the City of Fairfax, Virginia for the Old Town Fairfax Redevelopment Project for construction of parking facilities;

836. $200,000 to Prince William County, Virginia for the Nokesville Redevelopment Project for facilities rehabilitation and renovation and streetscape improvements;

837. $200,000 for the Blue Ridge Institute at Ferrum College in the Town of Ferrum, Virginia for the construction of the Agricultural Heritage Education Center to assist with economic development and tourism in the area;

838. $200,000 for Charlotte County, Virginia for infrastructure and building upgrades;

839. $200,000 for the Martinsville-Henry County Historical Society in Virginia for improvements to the Old Henry County Court House and Museum;

840. $200,000 for the Lewis and Clark Exploratory Center in Charlottesville, Virginia to assist in the construction of the Center;

841. $250,000 for The Prizery in the Town of South Boston, Virginia to assist with renovation efforts and the creation of a community arts center;

842. $250,000 to Edgehill Recovery Retreat Center in Winchester, Virginia for facilities construction;

843. $275,000 to the Virginia Holocaust Museum in Richmond, Virginia for facilities renovations and buildout;

844. $325,000 to the Windy Hill Foundation in Middleburg, Virginia for the construction of affordable housing;

845. $350,000 to Fairfax County, Virginia for facilities construction for Magnet Housing;

846. $400,000 for the Institute of Advanced Learning and Research (IALR) in Danville, Virginia for facility renovation and equipment improvements;

847. $400,000 to the Christopher Newport University Foundation of Newport News, Virginia for facilities construction and renovation;

848. $1,000,000 to the Art Museum of Western Virginia for planning and construction of a new museum in Roanoke, Virginia;

849. $100,000 to the Tenants' and Workers' Support Committee for construction and renovation of a multi-purpose committee room in the Arlandria community of Alexandria, Virginia;

850. $100,000 to Arlington County, Virginia for construction of a community center in the Buckingham community;

851. $400,000 to The Conservation Fund in Arlington, Virginia for land acquisition;

852. $500,000 for the Virginia Performing Arts Foundation for facilities construction in Richmond, Virginia;

853. $1,200,000 for the City of Newport News, Virginia for the development of the Newport News Fine Arts Center;

854. $500,000 for the Tredegar National Civil War Center Foundation for planning and construction of the Tredegar National Civil War Center in Virginia;

855. $200,000 to the Skagit County Children's Museum in Mount Vernon, Washington for facilities improvements and renovation;

856. $100,000 to the Tacoma Art Museum in Tacoma, Washington for building construction;

857. $100,000 to Jefferson County, Washington for restoration of the Jefferson County Courthouse Clock Tower;

858. $100,000 to Olympic College in Washington for construction at the Shelton Branch;

859. $515,000 to the Lutheran Compass Center in Seattle, Washington for rehabilitation and expansion of facilities;

860. $100,000 to the City of Burien, Washington for land acquisition;

861. $125,000 to the Westport Senior Center in Westport, Washington for construction;

862. $125,000 to Peninsula College in Washington for construction of a science facility;

863. $150,000 to the City of Bremerton, Washington for streetscape and façade renovation;

864. $225,000 to the Children's Home Society of Washington for facilities construction for the Spokane Valley Family Resource Center;

865. $350,000 to Kent Youth and Family Services in Kent, Washington for facilities expansion and rehabilitation for the Springwood Community Center;

866. $450,000 to the City of Yakima, Washington for renovation of the Capitol Theatre;

867. $400,000 to Richard Allen Enterprises in Spokane, Washington for the Emmanuel Center Project for facilities expansion;

868. $500,000 for the Museum Development Authority, Seattle, Washington for costs associated with brownfields redevelopment;

869. $250,000 for the Kitsap County Consolidated Housing Authority, Bremerton, Washington for downtown revitalization;

870. $250,000 for the Washington Technology Center in Seattle for the Washington Nanotechnology Initiative;

871. $500,000 for the West Central Community Center, Spokane, Washington for costs associated with expansion;

872. $200,000 for Hope Home in Pasco, Washington for the purchase and renovation of a home for its program;

873. $250,000 for the Walter Clore Wine and Culinary Center in Prosser, Washington for costs associated with construction;

874. $250,000 for the Economic Alliance in Okanogan, Washington for the construction of a business incubator;

875. $150,000 to the Business and Industrial Development Corporation for the acquisition, renovation and reuse of the Clendenin Middle School in West Virginia;

876. $225,000 to the Jefferson County Development Authority, West Virginia for infrastructure improvements for the Burr Industrial Park near Charles Town, West Virginia;

877. $200,000 to the Strand Theatre Preservation Society in Moundsville, West Virginia for theatre renovations;

878. $400,000 to the Monongalia County Schools Foundation, Inc. in West Virginia for construction of recreation facilities;

879. $750,000 to the Greenbrier Valley Economic Development Corporation in Lewisburg, West Virginia for facilities construction and buildout;

880. $750,000 to the Vandalia Heritage Foundation, Inc. for land acquisition;

881. $1,050,000 to the 4-County Economic Development Corporation in Oak Hill, West Virginia for facilities construction and buildout;

882. $1,170,000 to Glenville State College in Glenville, West Virginia for the construction of a new campus community education center;

883. $3,200,000 to the West Virginia High Technology Consortium Foundation, Inc. for land acquisition to expand a high technology business park;

884. $500,000 for Appalachian Bible College, Beckley, West Virginia to complete its library resource center;

885. $1,000,000 for the Huntington Area Development Council, Huntington, West Virginia for the construction of a business incubator;

886. $2,000,000 for West Virginia University in Morgantown for the construction of a facility focused on forensic science and biometrics research;

887. $1,500,000 for the City of Beckley, West Virginia for downtown revitalization;

888. $100,000 to Centro Hispano in Madison, Wisconsin for expansion of facilities;

889. $100,000 to the East Madison Community Center in Wisconsin for expansion of facilities;

890. $175,000 to West End Development Corporation in Milwaukee, Wisconsin for building acquisition and renovation in the Near West Side neighborhood;

891. $175,000 to the Redevelopment Authority of the City of Milwaukee, Wisconsin for building and façade renovation along the Vliet Street corridor;

892. $350,000 to the Military Veterans Museum, Inc. in Oshkosh, Wisconsin for facilities construction;

893. $900,000 to the City of Superior, Wisconsin for facilities improvements, new construction and relocation of facilities at the Barker's Island Redevelopment Project;

894. $1,000,000 to the City of Wausau, Wisconsin for the construction of a business development center;

895. $200,000 for the Menomonee Valley Partners of Milwaukee, Wisconsin for the redevelopment of a former rail yard;

896. $100,000 for the West Central Wisconsin Regional Planning Commission of Eau Claire, Wisconsin for an economic development initiative;

897. $100,000 for the City of Beloit, Wisconsin for the redevelopment of a former industrial site;

898. $300,000 for Techstar of Milwaukee, Wisconsin for economic development initiatives;

899. $500,000 for C–CAP, Inc., Waukesha, Wisconsin for costs associated with the Low Income Housing Redevelopment Project;

900. $350,000 for the City of Kenosha, Wisconsin for the construction of affordable housing;

901. $250,000 for the City of Madison, Wisconsin for the construction of low-income housing;

902. $1,000,000 to the University of Wyoming for construction of the Wyoming Technology Business Center in Laramie, Wyoming.

—$44,000,000 for the Neighborhood Initiatives program instead of $21,000,000 as proposed by the House and Senate. Modified language is included, similar to language proposed by the House and Senate, to target funds made available under this program. Targeted grants shall be provided as follows:

1. $2,000,000 for the Denali Commission for economic development in rural Alaska;

2. $500,000 for the City of Fresno, California for the Roeding Business Park Development project;

3. $750,000 for the City of Waterbury, Connecticut for the demolition of blighted buildings;

4. $250,000 for the County of Hawaii for neighborhood restoration in Hilo, Hawaii;

5. $75,000 for the Heart of Illinois Big Brothers Big Sisters program in Peoria, Illinois for the construction of a facility;

6. $100,000 to the City of Peoria, Illinois, for the Southern Gateway revitalization project to redevelop this neighborhood into a commercial center;

7. $650,000 for OSF Saint Francis Medical Center in Peoria, Illinois for the renovation of treatment rooms to expand the facility's emergency department;

8. $725,000 for Eureka College in Eureka, Illinois for construction of a new Science and Technology Center;

9. $300,000 for the City of Rockford, Illinois for a neighborhood revitalization project in the North Mid Town Area;

10. $200,000 for the City of Indianapolis, Indiana for the Tenth Street Revitalization Project;

11. $500,000 for the Iowa Department of Economic Development for the Main Street Iowa initiative;

12. $500,000 for the City of Waterloo, Iowa for the redevelopment of the Rath area brownfields;

13. $200,000 to the Community Economic Empowerment Corporation for construction of a recreation center in Louisville, Kentucky;

14. $325,000 for the Rhema Development Corporation for renovation of housing facilities in Louisville, Kentucky;

15. $400,000 for the Shiloh Community Renewal Center in Louisville, Kentucky for renovation and conversion of a building into an apartment facility for the elderly;

16. $400,000 for the St. Stephen Family Life Center in Louisville, Kentucky for facilities renovation of Stewart Hall;

17. $325,000 for the Shelby Park Neighborhood Association for the design and construction of a community center in Louisville, Kentucky;

18. $400,000 for the New Zion Community Development Foundation for facilities renovations and improvements in Kentucky;

19. $150,000 for the Trinity Family Life Center in Louisville, Kentucky for continued facilities construction;

20. $1,000,000 for East Baltimore Development Inc., in Baltimore, Maryland for redevelopment activities in East Baltimore which include coordination with the Oliver community redevelopment plan;

21. $150,000 for Charles County, Maryland for the La Plata Community Center.

22. $1,000,000 for MassDevelopment, Boston, Massachusetts for the Lawrence Gateway/Quadrant Area Redevelopment Plan;

23. $500,000 for the City of Roseau, Minnesota for economic redevelopment;

24. $500,000 for Neighborhood House in St. Paul, Minnesota for construction of the Paul and Sheila Wellstone Center for Community Building;

25. $5,000,000 for the Grace Hill Neighborhood Health Centers, Inc. shall be spent on primary prevention activities with no

less than $4,000,000 spent on remediation and abatement activities of housing in St. Louis, Missouri;

26. $250,000 for the Garfield Family Intervention Center in Birney, Montana for renovations;

27. $250,000 for the Northern Cheyenne Boys and Girls Club, Lame Deer, Montana for construction costs;

28. $500,000 to NYSERNET to develop a blueprint for building or acquiring dark fiber deployment throughout Upstate New York;

29. $400,000 to the Cortland County Industrial Development Authority in New York for the expansion of the Marietta bulk manufacturing facility;

30. $100,000 to Cayuga County, New York for expansion of the Cayuga Home in Auburn, New York;

31. $5,000,000 to the City of Syracuse, New York for the Neighborhood Initiative Program;

32. $250,000 for Rural Opportunities, Rochester, New York for the Upstate New York Community and Business Development New Market Initiative;

33. $500,000 to the Alliance for the Arts in New York City for the development of the New York State Cultural Database;

34. $1,000,000 to The Ohio State University in Columbus, Ohio for The Ohio State University Neighborhoods Revitalization Initiative;

35. $500,000 for the Jackson Day Care Center in Jackson, Ohio for construction and facilities improvements;

36. $4,000,000 for the Oklahoma Department of Environmental Quality for neighborhood restoration in Ottawa County;

37. $1,000,000 for the City of Rock City, South Carolina for the revitalization and the development of the Arcade-Westside Area of Rock Hill;

38. $500,000 for the City of Denton, Texas for downtown redevelopment;

39. $50,000 for the Halifax County Community Action Agency for the development of a Housing Initiative in Charlotte County, Virginia;

40. $300,000 for Lutheran Community Services Northwest, SeaTac, Washington for the construction of a community services building;

41. $3,500,000 for the Institute for Scientific Research for construction related to a high-technology diversification initiative;

42. $4,250,000 for the Vandalia Heritage Foundation, Inc. for community and neighborhood revitalization and economic diversification initiatives.

43. $2,500,000 to the West Virginia High Technology Consortium Foundation, Inc. for mission purposes and economic development initiatives

44. $150,000 to Oneida County, Wisconsin for the restoration of an historic building;

45. $150,000 to Langlade County, Wisconsin for the restoration of an historic building;

46. $450,000 for the City of Manitowoc, Wisconsin for economic development activities;

47. $1,500,000 for the Girl Scouts of the USA for youth development initiatives in public housing.

Includes modified language making technical corrections to certain targeted economic development initiative grants funded under this heading in prior appropriations Acts, similar to language proposed by the House and the Senate.

Includes language transferring no less than $4,900,000 to the Working Capital Fund for development of and modifications to information technology systems as proposed by the House and the Senate.

Includes language limiting the use of funds provided under this heading for planning, management and administration to not more than 20 percent of the funds provided except for amounts provided for certain activities as proposed by the House. The Senate proposed similar language.

Language is not included proposed by the Senate designating funds for the Native Hawaiian block grant program, but instead funding and language is included for this program under the section 107 program as proposed by the House.

URBAN DEVELOPMENT ACTION GRANTS

Cancels $30,000,000 from unspent balances as proposed by both the House and Senate.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $7,325,000 for costs associated with section 108 loan guarantees to subsidize a total loan principal of up to $275,000,000 as proposed by the Senate. The House did not include funding.

BROWNFIELDS REDEVELOPMENT

Appropriates $25,000,000 for brownfields redevelopment as proposed by both the House and the Senate.

The conference agreement provides funds for this program pursuant to the current statutory authorities under section 108(q).

Language is included requiring funds to be awarded competitively as proposed by the House. The Senate included similar language. The Department is reminded that these funds are to be distributed on a competitive basis in accordance with the requirements set forth in section 205 under administrative provisions in this title.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Appropriates a total of $2,017,500,000 for this account, instead of $2,064,100,000 as proposed by the House and $1,975,000,000 as proposed by the Senate.

The conference agreement includes $1,930,000,000 for the HOME Investment Partnerships program, instead of $1,939,100,000 as proposed by the House and $1,925,000,000 as proposed by the Senate. Of this amount, $40,000,000 is for housing counseling as proposed by the House and Senate; $18,000,000 is for technical assistance as proposed by the House and Senate includ-

ing $7,000,000 for qualified non-profit intermediaries to provide technical assistance to Community Housing and Development Organizations (CHDOs) instead of $8,000,000 to CHDO technical assistance as proposed by the House and $6,000,000 as proposed by the Senate; and $2,100,000 is for information technology systems as proposed by the House instead of $1,100,000 as proposed by the Senate.

In addition, the conference agreement includes $87,500,000 to provide down-payment assistance to low-income families to help them achieve homeownership, instead of $125,000,000 as proposed by the House and $50,000,000 as proposed by the Senate. Modified language is included similar to language proposed by the House requiring these funds to be distributed by a formula established by the Secretary that takes into account, among other things, a jurisdiction's need for and prior commitment to assistance to homebuyers. New language is included to require funds to be distributed for down-payment in accordance with the terms and conditions set forth in new authorization legislation should such legislation be enacted prior to April 15, 2004. The Senate did not support linking the use of HOME funds to the allocation of funds under this program and included language requiring funds to be distributed by a formula developed through rulemaking.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,267,000,000 for homeless assistance grants, instead of $1,242,000,000 as proposed by the House and $1,325,000,000 as proposed by the Senate. Includes language requiring the renewal of all expiring Shelter Plus Care grants as proposed by the House instead of bill language specifying a dollar amount for this purpose as proposed by the Senate. However, the conferees understand that the current estimate for Shelter Plus Care renewals totals $194,000,000. The conferees expect the Department to provide the full amount necessary to fund these renewals from within the amounts provided.

Language is included designating $12,000,000 for the national homeless data analysis project and for technical assistance as proposed by the House and Senate.

Language is included designating $2,580,000 for information technology systems as proposed by the House and Senate.

The conferees reiterate the direction and reporting requirement included in the Senate report regarding the collection and analysis of data to assess the effectiveness of the homeless system.

In lieu of the direction included in the Senate report, the conferees encourage the Department to review the plans being developed by the U.S. Interagency Council on Homelessness to end chronic homelessness and provide a report to the Committees on Appropriations no later than May 15, 2004, on recommendations to develop incentives or requirements under McKinney-Vento programs to achieve this goal.

The conferees reiterate the direction included in the Senate report on the annual submission of 5–year projections for renewal costs.

HOUSING PROGRAMS

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides funding for the housing for the elderly (section 202) program and the housing for the disabled (section 811) program in two new accounts as proposed by the House rather than continuing funding for both programs under one account as proposed by the Senate.

The conference agreement recommends a total program level of $794,320,000 for the section 202 program. Of this amount, $778,320,000 is provided as a direct appropriation instead of $773,320,000 as proposed by the House and $783,286,000 as proposed by the Senate. In addition, $16,000,000 is derived from unobligated balances from funds provided for project-based rental assistance contracts (PRAC) renewals in fiscal year 2003 that were not needed to meet this requirement and recaptures of excess prior year funds, as proposed by the House. The Senate did not address this matter.

The conference allocates funds as follows:

—$691,850,000 for new capital and PRAC contracts, instead of $695,850,000 as proposed by the House and $636,816,000 as proposed by the Senate;

—$2,000,000 for one-year renewals of expiring PRAC payments as proposed by the House instead of $26,000,000 as proposed by the Senate. The conferees note that this amount represents the revised estimate of funding necessary for PRAC renewals in fiscal year 2004, however should additional funds be required the Department may reallocate funds from new capital grants as necessary subject to standard reprogramming requirements;

—$50,000,000 for service coordinators and the continuation of congregate services grants as proposed by the House and Senate;

—$30,000,000 for assisted living conversion grants and emergency capital repairs. The House proposed $25,000,000 for assisted living conversion grants and the Senate proposed $30,000,000 for assisted living conversion grants and substantial capital repair grants. Modified language is included designating these funds for assisted living conversion grants and for emergency capital repairs as determined by the Secretary.

The conferees are aware of concerns regarding the long-term conditions and needs of the sections 202 and 236 assisted housing stock. The conferees direct the Department to conduct a capital assessment of the stock and provide a report to the Committees on Appropriations not later than August 15, 2004, on alternatives to address such long-term needs. As part of this report, the conferees request that the Department examine whether the mechanisms used under the Mark-to-Market program for certain federally-insured properties can be applied to the section 202 and section 236 portfolios as a means of addressing such needs in a cost-effective manner;

—$20,000,000 for competitive grants for planning, design and development activities for section 202 projects. These funds are to be allocated for project planning, preliminary design, site control

activities and other development costs, including gap financing if appropriate, directly related to section 202 projects in order to facilitate timely completion of such projects. The conferees do not intend for these funds to be used for technical assistance but instead expect such funds to be used for start-up costs associated with such projects. Language is not included to create a revolving loan fund as proposed by the Senate. The conferees believe such needs can be addressed through this competitive grant program; and

—no less than $470,000 for transfer to the Working Capital Fund for information technology activities.

Language is included making funds available for obligation for three years as proposed by the House instead of four years as proposed by the Senate.

Language is included transferring and merging all unexpended balances previously appropriated for the section 202 program to this new account as proposed by the House. The Senate did not address this matter.

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement recommends a total program level of $256,470,000 for the section 811 program. Of this amount, $250,570,000 is provided as a direct appropriation as proposed by the House and the Senate and an additional $5,900,000 is derived from unobligated balances from funds provided for project-based rental assistance contracts (PRAC) renewals in fiscal year 2003 that are not needed to meet this requirement and recaptures of excess prior year funds, as proposed by the House. The Senate did not address this matter.

The conference allocates funds as follows:

—$213,300,000 for new capital and PRAC contracts and new vouchers as proposed by the House. The Senate included $200,045,000 for this purpose under the Housing for Special Populations account;

—$42,700,000 for one-year renewal costs of section 811 rental assistance and expiring PRAC contracts as proposed by the House instead of $50,000,000 as proposed by the Senate. The conferees note that this amount represents the revised estimate of funding necessary for PRAC renewals in fiscal year 2004, however should additional funds be required the Department may reallocate funds from new capital grants as necessary subject to standard reprogramming requirements; and

—no less than $470,000 for transfer to the Working Capital Fund for information technology activities.

Language is included allowing the Secretary to designate up to 25 percent of funds, excluding amounts for voucher renewals, to be used for new voucher assistance for the disabled as proposed by the House and the Senate.

Language is included making funds available for obligation for three years as proposed by the House instead of four years as proposed by the Senate.

Language is included transferring and merging all unexpended balances previously appropriated for the section 811 program to

this new account as proposed by the House. The Senate did not address this matter.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

Includes language regarding the transfer of excess rental charges to this fund as proposed by the House. Language proposed by the Senate is not included allowing certain excess rental charges to be refunded to owners rather than transferred to the Fund.

RENTAL HOUSING ASSISTANCE

(RESCISSION)

Includes a rescission of up to $303,000,000 from recaptured excess section 236 funds resulting from the pre-payment of such mortgages as proposed by the House and the Senate.

MANUFACTURED HOUSING FEES TRUST FUND

Appropriates up to $13,000,000 for authorized activities from fees collected in the Fund as proposed by the House. The Senate included similar language.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Establishes an $185,000,000,000 limitation on commitments to guarantee single-family loans during fiscal year 2004 as proposed by the House and the Senate. The conferees do not concur with language proposed by the Senate regarding the appropriateness of the decision to change the point of obligation for this program. In lieu of such language addressing this matter, the conferees direct the Department to submit quarterly reports on the status of commitments as compared to the commitment limitation in addition to notification reports required by section 3(b) of Public Law 99–289.

Establishes a $50,000,000 limitation on direct loans to nonprofits and governmental entities in connection with the sale of HUD-owned single-family properties as proposed by the House and the Senate.

Appropriates $359,000,000 for administrative expenses as proposed by both the House and Senate. Of this amount, $355,000,000 is to be transferred to the salaries and expenses account and not to exceed $4,000,000 is to be transferred to the Office of Inspector General as proposed by both the House and Senate.

Appropriates $85,000,000 for administrative contract expenses and includes language allowing up to an additional $30,000,000 to be made available for such expenses in certain circumstances as proposed by both the House and Senate.

Transfers no less than $20,744,000 from administrative contract expenses under this account to the Working Capital Fund for the development of and modifications to information technology systems as proposed by both the House and Senate.

In lieu of the language included in the Senate report regarding the Asset Control Area program and revitalization areas, the conferees instead agree to require a report from the Department on revitalization area designations. The conferees direct HUD to submit a report no later than February 15, 2004, to the Committees on Appropriations that describes the criteria and methodology the Department uses to determine revitalization areas; lists the communities that have lost their revitalization area designation since June, 2002; and provides justification for the changes. The conferees understand that the Department is currently conducting a review of all revitalization areas, and expect that this review will be discussed in the report. The conferees expect that the Department will continue to recognize communities with high concentrations of HUD-foreclosed properties as revitalization areas. The conferees do not concur with the language in the Senate report regarding the withholding of salary payments to departmental employees responsible for administering this program.

The conferees reiterate the guidance and direction included in the Senate report regarding language included under administrative provisions to publish a regulation to allow HUD to preclude certain buyers from purchasing foreclosed properties during the disposition process.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Establishes a $25,000,000,000 limitation on multifamily and specialized loan guarantees during fiscal year 2004 as proposed by the House and the Senate.

Appropriates $15,000,000 for subsidy costs to support certain multifamily and special purpose loan guarantee programs as proposed by the House and the Senate.

In lieu of the language in the Senate report regarding the section 242 hospital insurance program, the conferees note that legislation was recently enacted that facilitates the availability of section 242 hospital insurance in states without a certificate of need program. This new authority should help geographically diversify the section 242 program which will help ensure the financial soundness of the program. The conferees direct HUD to report to the Committees on Appropriations no later than August 15, 2004, on its efforts to geographically diversify the hospital insurance portfolio; assess overall financial risks from the section 242 program to the insurance fund; assess the importance of the section 242 program in meeting healthcare facility needs as compared to other public and private funding options; and any recommendations to improve the section 242 program, including options to reduce the financial risk of the program. The Department is directed to consult with the Department of Health and Human Services in developing this report.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $10,695,000 for administrative expenses to be transferred to the salaries and expenses account as proposed by both the House and the Senate.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

Appropriates $47,000,000 for research and technology as proposed by both the House and Senate.

Includes $7,500,000 for the Partnership for Advancing Technology in Housing (PATH) initiative, instead of $7,000,000 as proposed by the House and the Senate. The conferees expect the Department to increase support for manufactured housing from within the amounts provided for the PATH program to support continuing research on promising technologies for the manufactured housing industry.

The conferees reiterate the direction included in the Senate report denying demonstration authority without prior congressional approval.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

Appropriates $48,000,000 for this account instead of $46,000,000 as proposed by the House and $50,000,000 as proposed by the Senate.

Of this amount, $27,750,000 is for the Fair Housing Assistance Program (FHAP) and $20,250,000 is for the Fair Housing Initiatives Program (FHIP). The House proposed $25,750,000 for FHAP and $20,250,000 for FHIP and the Senate proposed $30,000,000 for FHAP and $20,000,000 for FHIP.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

Appropriates $175,000,000 for lead hazard reduction instead of $130,000,000 as proposed by the House and $175,000,000 as proposed by the Senate.

The conferees agree to allocate funds as follows:

—$96,000,000 for the lead-based paint hazard control grant program to provide assistance to State and local governments and Native American tribes for lead-based paint abatement in private low-income housing;

—$9,000,000 for Operation LEAP;

—$10,000,000 for technical assistance and support to State and local agencies and private property owners;

—$10,000,000 for the Healthy Homes Initiative for competitive grants for research, standards development, and education and out-

reach activities to address lead-based paint poisoning and other housing-related diseases and hazards; and

—$50,000,000 for an initiative to target lead abatement funds to areas with the highest lead paint abatement needs.

Includes modified language making available $50,000,000 on a competitive basis to those areas with the highest lead paint abatement needs as determined by the highest number of pre-1940 units of occupied rental housing, a disproportionately high number of documented cases of lead-poisoned children, and an applicant's demonstrated capacity to implement successfully the proposed uses of the funds. Language is also included requiring that not less than 90 percent of the funds made available under this initiative to be used exclusively for abatement or interim control of lead-based paint hazards, risk assessments, inspections or temporary relocation. Language is also included requiring recipients of funds awarded under this initiative to provide a matching contribution of not less than 25 percent of the total grant award. The conferees believe that communities with the highest lead paint risk to children must employ an aggressive approach to lead-based paint abatement, and suggest that grants made under this new initiative be not less than $2,000,000. The conferees intend that eligible recipients of these funds will be units of local government. In selecting recipients for funding under this initiative, the Department shall consider the capacity of the applicant to use the funds provided, including the success of the applicant in using previously provided Federal dollars for lead-based paint hazard reduction, as well as the applicant's strategies to mobilize public and private resources to address this problem. Grant recipients under this initiative are expected to use funds for abatement and hazard reduction in privately owned rental-housing units that serve low-income families with children under the age of six. Units treated with funds provided under this initiative must remain available for low-income residents for at least three years following treatment of the lead-based paint hazard. The conferees do not intend for any action taken in this Act to prejudice any ongoing or future litigation brought against lead pigment manufacturers. Additionally, no action taken in this Act is intended to mitigate the responsibility of housing owners to address the existence of lead-based paint hazards in a timely and expeditious manner.

The conferees are aware that the Department currently reserves approximately 80 percent of the current lead-based paint hazard control grant program funding for allocation to current grantees or previous grantees, with the remaining 20 percent provided for new grantees. The conferees request that the Department evaluate this policy to ensure that such allocation is appropriate to ensure that resources are made available to communities with the need as well as the capacity to use such grants. Further, the conferees urge the Department to consider the total amount of Federal and non-Federal resources available to address lead-based paint hazards when allocating funds provided for the current lead-based paint hazard control grant program.

The conferees encourage the Department to consider a proposal from the Community Environmental Research Center as well as proposals on black mold and dissemination of information to the

public and provide funds if appropriate. However, the Department is reminded that all funds provided under this heading and in this Act are to be distributed on a competitive basis in accordance with the requirements set forth in section 205 under administrative provisions in this title.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $1,123,130,000 for salaries and expenses instead of $1,122,130,000 as proposed by the House and $1,111,530,000 as proposed by the Senate. Of this amount, $547,000,000 is provided as a direct appropriation under this account as proposed by the House instead of $535,400,000 as proposed by the Senate.

The conference agreement includes language as proposed by the House directing the Department to allocate funds provided under this heading in the manner specified in the joint explanatory statement of the managers accompanying this Act unless the Committees on Appropriations are notified and approve of any changes in the operating plan or through a reprogramming. The Department may reallocate funds and FTEs between the amounts specified below for these offices only in accordance with operating plan and/or reprogramming procedures. Amounts provided are consistent with modifications made by the Department to the original budget submission to reflect the revised staffing distribution consistent with the corrective action plan submitted to the Committees on Appropriations in response to the significant over-hiring that occurred during fiscal year 2003. In addition, the conference agreement includes an increase of $10,000,000 and 75 FTEs for the Office of Public and Indian Housing to establish a Division of Quality Assurance for activities associated with the section 8 voucher program.

The following office and object classifications are to be used as the basis of any changes in funding and staffing distributions:

Office	FTE	Amount
Office of Housing	3,483	$323,061,000
Office of Public and Indian Housing	1,745	183,209,000
Office of Community Planning and Development	834	81,696,000
Office of Policy Development and Research	161	21,424,000
Office of Fair Housing and Equal Opportunity	669	61,564,000
Office of Healthy Homes and Lead Hazard Control	38	3,946,000
Government National Mortgage Association	70	7,923,000
Departmental Management	189	21,084,000
Center for Faith-Based and Community Initiatives	8	2,639,000
Office of the Chief Financial Officer	248	38,857,000
Office of the General Counsel	698	76,007,000
Office of Field Policy and Management	530	53,430,000
Office of Administration	732	248,290,000
Total, Management and Administration	9,405	1,123,130,000

Consistent with modifications to the original budget submission, the object classification distribution, which shall also serve as

the basis for operating plan and reprogramming changes, is as follows:

Personal Services—$889,234,000
Travel and Transportation of Persons—$20,600,000
Transportation of Things—$550,000
Rent, Communications and Utilities—$135,555,000
Printing and Reproduction—$3,900,000
Other Services—$64,901,000
Supplies and Materials—$4,990,000
Furniture and Equipment—$3,200,000
Indemnities—$200,000

Public and Indian Housing Division of Quality Assurance.—Includes $10,000,000 and 75 FTEs to establish a Division of Quality Assurance within the Office of Public and Indian Housing. The conference agreement establishes this new division to ensure accurate and timely data regarding the expenditure and projected future funding requirements for the section 8 voucher program. The conferees recommend $7,500,000 in Personal Services and $2,500,000 in Other Services object classifications for this purpose.

Operating Plans/Reprogramming Requirements.—The conferees appreciate the need for management flexibility to allocate management and administrative resources or reorganize offices and programs to address changing requirements at the departments and agencies funded in the bill, including HUD. To provide such flexibility, while ensuring appropriate consultation and oversight, all Departments within the Subcommittee's jurisdiction are required to submit operating plans and reprogramming letters and reorganization proposals for Committee approval. The conferees direct HUD to follow the Committees' requirements regarding operating plans, reprogrammings and reorganizations so that the Committees are kept informed of, and therefore are better able to respond to, changing requirements at the Department. HUD is reminded that operating plans or reprogramming requirements apply to any reallocation of resources totaling more than $500,000 among any program, project or activity as well as to any significant reorganization within offices or the proposed creation or elimination of any program or office, regardless of the dollar amount involved; and any reorganization, regardless of the dollar amount involved. Object classification changes above $500,000 also are subject to operating plan or reprogramming requirements. Unless otherwise specified in this Act or the accompanying report, the approved level for any program, project, or activity is that amount detailed for that program, project, or activity in the Department's annual detailed budget justification document. These requirements apply to all funds provided to the Department. The Department is expected to make any necessary changes during fiscal year 2004 to its current procedures and systems to ensure that it is able to meet the necessary operating plan and reprogramming requirements applied to other agencies funded in the bill.

Language proposed by the House to require submission of a staffing plan is not included. The Senate did not propose similar language. Instead, the conference agreement reiterates the direction in the Senate report regarding submission of quarterly reports on hiring.

Language is included as proposed by the House related to funds control improvements to prohibit any official or employee from being designated as a funds allotment holder unless the Office of the Chief Financial Officer (OCFO) has determined such person has implemented adequate funds control systems and received appropriate training; requires the OCFO to establish control of and maintain adequate systems of accounting and other available funds; and clarifies the point of obligation for purposes of determining a violation of the Anti-Deficiency Act. Language is also included as proposed by the House making a technical correction to the fiscal year 2003 Act regarding the point of obligation. The conferees reiterate the direction in the House report regarding the recognition of well-established appropriations law related to the point of obligation of funds and joint execution for obligation of funds when possible. The Senate did not propose similar language.

The conferees have not included the Senate bill language and the House and Senate report language regarding overall authority for appropriations law. The conferees are in disagreement on this matter.

Language proposed by the Senate is not included to prohibit the Department from paying the salaries (other than pensions and related costs) of any employees who had significant responsibility for allocating funding for the over-leasing of vouchers by public housing agencies. The House did not include similar language.

Language is included in the bill placing a limitation on the number of GS–14 and GS–15 employees at the Department as proposed by the House and the Senate.

The conferees reiterate the direction included in the Senate report regarding the limitation on non-career employees.

Budget Submission.—The conferees strongly disagree with the effort to substitute "performance-based budgeting" for the traditional budget structure or otherwise incorporate it into the budget justification for the Department. The Department is reminded that the detailed budget justification books are produced for the Committees on Appropriations in order to provide the necessary detail on the budget request and therefore are to be submitted in a manner that the Committees on Appropriations find most useful to assess funding requests and program requirements. The supplementary "performance-based budget" document for the Department for fiscal year 2004 attempted to divide the entire Department's budget across six broad strategic goals such as "Strengthening Communities", "Embrace High Standards of Ethics, Management and Accountability", and "Promote Decent and Affordable Housing". This strategic planning document contained minimal information useful to the Committees to assess the Department's fiscal year 2004 budget request or funding requirements. Therefore, language is included under Administrative Provisions requiring the fiscal year 2005 annual budget justification materials to be submitted in the traditional structure with sufficient detailed information to satisfy the Committees' needs.

WORKING CAPITAL FUND

Appropriates $235,000,000 for the Working Capital Fund instead of $240,000,000 as proposed by the Senate and $90,000,000

as proposed by the House. In addition, the conference agreement includes $65,156,000 in transfers from the following accounts to support program-specific information technology systems as proposed by the House instead of $64,156,000 as proposed by the Senate:

FHA, Mutual mortgage insurance fund—$20,744,000
FHA, General and special risk insurance fund—$16,946,000
Community development fund—$4,900,000
HOME investment partnerships program—$2,100,000
Homeless assistance—$2,580,000
Public housing capital fund—$10,610,000
Native American Indian block grants—$2,720,000
Housing certificate fund—$3,010,000
Housing for the elderly—$470,000
Housing for persons with disabilities—$470,000
Interagency Services—$306,000
Office of Inspector General—$300,000

The conferees reiterate the direction included in the House report on continued development and definition of a five-year information technology plan consistent with the format previously provided to the Department and direct such updated plan be submitted no later than February 1, 2004.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

Appropriates $101,000,000 for the Office of Inspector General instead of $100,080,000 as proposed by the House and $102,000,000 as proposed by the Senate. Of this amount, $24,000,000 is provided by transfer from the various funds of the Federal Housing Administration as proposed by the House and the Senate.

CONSOLIDATED FEE FUND

(RESCISSION)

Includes language rescinding remaining balances in the Fund as proposed by the House and the Senate.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $39,915,000 for the Office of Federal Housing Enterprise Oversight (OFHEO) to be derived from collections available in the Federal Housing Enterprise Oversight Fund instead of $32,415,000 as proposed by the House.

The conference agreement provides an additional $7,500,000 as requested in a budget amendment submitted to the Congress for one-time costs to conduct special investigations of the enterprises and for strengthening the examination and legal functions. Language is included specifying funds for these requested purposes.

Language is included requiring not less than 60 percent of the total amount made available under this heading shall be used only for examination, supervision and capital oversight to ensure that the enterprises are operating in a financially sound manner and comply with statutory capital requirements.

Language is also included requiring the Secretary to submit a spending plan no later than January 15, 2004. The Secretary is directed to submit a separate plan for the funds provided for special investigations if such funds are required prior to the submission of the spending plan.

ADMINISTRATIVE PROVISIONS

Includes modified language similar to language proposed by the House and the Senate regarding the distribution of certain HOPWA funds.

Includes language requiring all funds to be awarded competitively except as explicitly provided for in statute as proposed by the House. The Senate proposed similar language.

Includes modified language similar to language proposed by the House and the Senate requiring the Department to submit a spending plan for the use of technical assistance, training, and management improvement funds provided for in this Act to the Committees on Appropriations by January 15, 2004.

Includes language as proposed by the House requiring the Secretary to provide quarterly reports to the Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds. The Senate proposed similar language.

Does not include language proposed by the Senate to reauthorize the HOPE VI program beyond fiscal year 2004 since it is the conferees' understanding that authorization legislation is currently being considered by the relevant House and Senate committees of jurisdiction. The House did not include similar language. The conferees support continuing funding of this program absent an alternative approach to the revitalization of distressed public housing or other compelling policy reasons.

Includes language proposed by the Senate requiring the Secretary to maintain section 8 assistance on certain properties occupied by elderly or disabled families. The House did not include similar language.

Includes language proposed by the Senate requiring the Secretary to submit an annual report to the Committees on Appropriations regarding the number of Federally-assisted units under lease and the per unit costs to the Federal government of such units. The House did not include similar language.

Does not include language to amend section 683(2) of the Housing and Community Development Act of 1972 to authorize service coordinators in section 811 projects as proposed by the Senate. The House did not include similar language.

Includes language proposed by the Senate regarding interest paid on certain mortgage insurance claims. The House did not include similar language.

Includes modified language to change the name of the Interagency Council on the Homeless similar to language proposed by the Senate. Language proposed by the Senate is not included to au-

thorize non-reimbursable detailees. The House did not include similar language.

Does not include language proposed by the Senate to authorize FHA single-family mortgage insurance to be provided to sub-prime borrowers at reduced premiums and appraisal limitations. The House did not include similar language. The conferees support efforts to assist low-income persons in repairing negative credit histories where appropriate. However, the Department needs to stem the escalating default rate in FHA's single-family mortgage insurance programs before it assumes new risks posed by persons with credit problems.

Language is included as proposed by the Senate to allow HUD to participate in the Directory of New Hires program. The House did not include similar language.

Does not include language to amend section 9 of the United States Housing Act of 1937 to authorize a new loan-financing program for public housing authorities as proposed by the Senate. The House did not include similar language.

Does not include language to amend the McKinney-Vento Act to raise the salary cap for the Executive Director of the U.S. Interagency Council on Homelessness from the current Executive Level V to Executive Level III. The House did not include a similar provision.

Includes language proposed by the Senate to authorize the Department to allocate CDBG non-entitlement funds to localities in the State of Hawaii should the State fail to elect to administer such funds by July 31, 2004. The House did not include a similar provision.

Includes language proposed by the Senate to amend the purposes of a grant related to Hollander Ridge in Baltimore, Maryland. The House did not include a similar provision.

Includes language proposed by the Senate requiring the Secretary to conduct negotiated rulemaking for purposes of changes to the formula governing the public housing operating fund and requires a final rule to be issued no later than July 1, 2004. The House did not include similar language.

Includes new language allowing the Secretary to maintain and dispose of certain elderly and disabled projects upon foreclosure. Neither the House nor Senate included similar language.

Includes new language requiring the Department to submit its fiscal year 2005 budget justification to the Committees on Appropriations in the traditional budget structure rather than in a "performance-based budget" structure and in accordance with the terms and conditions specified below. For the last three years, the conferees have expressed concerns regarding the adequacy of the Department's annual budget justification to the Committees on Appropriations. While improvements have been made, the fiscal year 2004 budget justification provided insufficient information to meet the Committees' requirements. For example, the Department's fiscal year 2004 justification contained less than 13 pages of information for programs representing over half of the Department's entire budget. The Department is directed to develop and present the fiscal year 2005 budget justification in the traditional budget structure, delineated by appropriation account, providing detailed infor-

mation on the prior year, current year, and requested funding levels for each program, project, or activity funded within each account; a detailed narrative description of each program, project, or activity; and any proposed changes to such program, project, or activity. Object classification displays are to be included as supplements, not substitutes, to detailed displays of funding provided in prior years and requested in fiscal year 2005 for each program, project, or activity within each account. Within the justification materials for the Management and Administration account, the Department is to continue to delineate prior year, current year, and requested positions, FTEs, and funding levels for each program within each office, delineated by headquarters and field office components and as compared to the Department's workload staffing model (REAP). Such materials shall include a detailed justification for any proposed staffing changes among such offices.

TITLE III—INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

Appropriates $41,300,000 for salaries and expenses instead of $47,276,000 as proposed by the House and $35,000,000 as proposed by the Senate. The conferees have not included a provision proposed by the House which would have delayed the availability of $10,000,000 until September 1, 2004.

The amount provided includes $9,000,000 for the Normandy Interpretive Center. The conferees note that approximately $9,000,000 in additional funding will be required to complete the Center and expect this amount to be included in the fiscal year 2005 budget submission.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

Appropriates $8,250,000 instead of $8,550,000 as proposed by the House and $8,000,000 as proposed by the Senate. The conferees have not included language providing $2,500,000 of this amount to be available for two fiscal years as proposed by the Senate.

The conferees encourage the Board to work with the Department of Homeland Security to develop a Memorandum of Understanding (MOU) regarding the Board's specific duties to protect from and respond to terrorist acts on chemical and related industrial plants. The Board is directed to update the Committees on Appropriations by June 30, 2004 on progress made towards developing a MOU.

Modifies language proposed by the Senate regarding financial statements to be prepared by the Chief Operating Officer of the Board in accordance with the Accountability of Tax Dollars Act of 2002. The IG shall submit to the Chief Operating Officer of the Board a report on the audit not later than November 15th of the fiscal year for which a statement was prepared.

The conferees have included language and funding under the Environmental Protection Agency (EPA), Office of Inspector Gen-

eral designating the Inspector General of EPA to serve as the Inspector General of the Chemical Safety and Hazard Investigation Board. The duties of the Inspector General shall be those outlined in the Inspector General Act of 1978, as amended. As these duties are not supervisory or directive in nature, the independence of the Board remains as specified in the Board's authorizing statute.

EMERGENCY FUND

Provides $450,000 for an Emergency Fund as proposed by the House.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

Appropriates $61,000,000 for the community development financial institutions fund program account, instead of $51,000,000 as proposed by the House and $70,000,000 as proposed by the Senate.

Includes $4,000,000 for technical assistance designed to benefit Native American communities instead of $3,000,000 as proposed by the House and $5,000,000 as proposed by the Senate.

Provides $12,000,000 for administrative expenses as proposed by the Senate instead of $13,000,000 as proposed by the House.

Provides for a cost limitation on direct loans of $6,000,000 with $250,000 for administrative expenses as proposed by both the House and Senate.

Provides for a limitation on the amount of direct loans of $11,000,000 as proposed by both the House and Senate.

The conferees direct the Fund to submit an update to its 5–year strategic plan to the Committees on Appropriations of the House and Senate that outlines its effort to improve the economic needs of Native Americans. The report is to be submitted by April 20, 2004.

The conferees agree with the Senate direction that the CDFI Fund make funds for financial assistance available to CDFIs regardless of their size and to continue the Small and Emerging CDFI Assistance program. Additionally, the conferees direct the CDFI Fund to restore out-migration and population loss as criteria in determining Investment Areas for fiscal year 2004.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

Appropriates $60,000,000 as proposed by the House and the Senate.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $553,225,000 for national and community service programs operating expenses. The House proposed $363,452,000 to fund the operating expenses and salaries and expenses, but not the Trust, which was funded under a separate heading. The Senate proposed $452,575,000 to fund the operating expenses and the Trust, but not salaries and expenses, which were funded under a separate heading. This conference agreement mirrors the account structure of the Senate.

Appropriates $314,000,000 for AmeriCorps*State and National grants (authorized under subtitle C) and education award only grants (authorized under subtitle H), plus an additional $130,000,000 for the Trust. The House proposed $244,352,000 for grants plus $110,000,000 appropriated under a separate account for the Trust. The Senate proposed a lump sum of $340,000,000 to fund both grants and the Trust. The conference agreement allows for education award only grants to be funded from this same authority as proposed by both the House and the Senate.

Within the amount provided for AmeriCorps*State and National grants, the conferees have provided up to $55,000,000 for national direct grants.

The conferees strongly urge the Corporation to develop separate application guidelines for professional corps that recognize the unique challenges inherent in building service corps of full-time professionals.

The conference agreement transfers not less than $130,000,000 to the Trust, of which $5,000,000 is to support national service scholarships to high school students and $10,000,000 is to be held in reserve as required by the Strengthen AmeriCorps Program Act. The Trust funds the education awards for members who successfully complete their commitments in the three AmeriCorps programs: AmeriCorps*State and National, AmeriCorps*NCCC and AmeriCorps*VISTA (the latter of which is appropriated under a different appropriations Act). The conference agreement includes language which allows for the transfer of sums from AmeriCorps*State and National grants to the Trust in order to ensure sufficient funding for education award commitments. The conference agreement assumes the Corporation will provide up to 40 percent of its grant awards as education award only grants. The conferees direct the Corporation to include in its Operating Plan the number of members, both FTE and total number of volunteers this funding level will support, as well as the specific program mix of education award only and stipend grants. The conference agreement does not include a cap on the number of members enrolled in the Trust.

The conferees expect that the Corporation will offer any individual selected for enrollment or re-enrollment as an AmeriCorps*VISTA member the option of receiving an education award.

The conferees also expect that the Corporation will ensure that all continuation grants, through which the Corporation has made multi-year commitments, are funded prior to funding new grants, provided the grantees are in compliance with all requirements.

The conference agreement includes $12,000,000 for state commission administration as proposed by the Senate instead of $13,000,000 as proposed by the House. The conferees direct the Corporation to address the management problems of the state commissions as identified by the Inspector General.

Provides $10,000,000 to the Points of Light Foundation, of which up to $2,500,000 may be used for an endowment as proposed by both the House and the Senate.

The conference agreement also includes $5,000,000 for America's Promise, as proposed by both the House and the Senate.

The conference agreement does not include funding for the Promise Fellows program. The 2004 budget request included $4,900,000 for this program. However, the Corporation was able to allocate funding for the proposed 2004 program from fiscal year 2003 funds carried over into fiscal year 2004 in order to complete the program.

Provides funding for AmeriCorps*National Civilian Community Corps of $25,000,000 as proposed by the Senate instead of $24,000,000 as proposed by the House.

Limits funding for Learn and Serve grants (authorized by subtitle B) for school-based and community-based service learning programs to $43,000,000 as proposed by the Senate, instead of $40,000,000 as proposed by the House.

Limits funding for subtitle H grants, innovation, demonstration and assistance activities, to $11,225,000 instead of $14,575,000 as proposed by the Senate and $6,100,000 as proposed by the House. The conferees have provided $500,000 for Martin Luther King Jr. Day grants; $725,000 for the Service Learning Clearinghouse and Exchange; $2,000,000 for training and technical assistance; $1,000,000 for next generation grants; and $4,000,000 for disability programs.

The conferees have provided $3,000,000 for challenge grants and direct the Corporation to comply with the funding requirements of this program as included in House Report 108–10.

The conference agreement provides $3,000,000 for audits and evaluations, of which $2,000,000 is to assist grantees with the development of their performance measures, and $1,000,000 is for a National Academy of Public Administration study as directed in Senate Report 108–143. The conferees further direct the Corporation to provide detailed funding levels and descriptions for each initiative under subtitle H in its Operating Plan and future budget request materials.

The conferees have included bill language, identical to language that has been included in previous conference reports, regarding Federal costs per participant. The conferees direct the Corporation to report within 90 days of enactment on how the Corporation has complied with this directive. The conferees further direct that future efforts to reduce Federal costs per participant should target administrative and overhead costs, not volunteers' stipends.

The conference agreement does not include specific proposals by the Senate to increase matching requirements. The conferees, however, would expect that larger, well-established partners of the Corporation should be able to better leverage their Federal funding so that a greater percentage of their operating expenses would come from other than Federal sources. The conferees direct the Corporation to undertake public notice and comment rulemaking, should the Corporation propose to revise the matching funds requirements contained in the grant competition guidelines, for those longstanding partners which have received significant funding from the Corporation in many successive years. Further, the Corporation is directed to collect information on the grantees which receive more than $500,000 annually from the Corporation and the amount of other Federal and non-Federal funds the recipients have leveraged and make the information available if requested.

Reiterates language proposed by the House directing the Corporation to review thoroughly its grant programs and financial systems, and submit a report not less than 90 days after enactment of this Act detailing a plan for reform and accountability.

Modifies language proposed by the Senate directing the Corporation to comply fully with the recommendations of the Inspector General Audit Report of July 24, 2003, by directing the Corporation to prohibit expenditures until the Inspector General certifies that substantial compliance has been achieved.

Reiterates language proposed by both the House and the Senate regarding reports submitted to the Committees on Appropriations detailing the enrollment levels of the various AmeriCorps programs and the financial status of the Trust to be submitted monthly.

The conferees encourage the Corporation to consider a change to the grant cycle so that grant awards can be made to recipient organizations before the organization recruits members to fill awarded slots.

The conferees direct the Corporation to undertake public notice and comment rulemaking to develop a definition of sustainability.

The conferees direct that future budget requests should not include funding for programs, agencies or operations outside of the jurisdiction of this Act. Instead, the Administration should request those funds from the appropriate subcommittee of the Committees on Appropriations, or request appropriate transfer authority.

SALARIES AND EXPENSES

Appropriates $25,000,000 for salaries and expenses associated with the administrative activities of the Corporation as proposed by the Senate. The House included funding under the operating expenses account.

Of the amount provided the conference agreement assumes: $18,300,000 for salaries and benefits; $400,000 for travel; $2,300,000 for technology; $2,000,000 for administrative expenses; and $2,000,000 for the Office of the Chief Financial Officer.

The conferees agree that decisions and ultimate responsibility for determining pay increases and performance bonuses belong to the Chief Executive Officer (CEO) of the Corporation. However, the conferees prohibit the CEO from approving bonuses and salary in-

creases for senior managers unless the Inspector General certifies that all recommendations from the July 24, 2003, Inspector General report have been implemented.

The conferees remind the Corporation of the reporting requirements set forth at the beginning of this division. The conferees agree that for fiscal year 2004, the Corporation must report to and receive approval from the Committees on Appropriations on any reprogramming request in excess of $100,000. Various reporting requirements listed in both the House report and the Senate report must be fulfilled with the submission of the fiscal year 2004 operating plan unless otherwise noted. Further, the conferees direct the Corporation to provide better, detailed information in the budget request for all CNCS accounts regarding planned and on-going activities, the costs of those activities, and the expected results.

The conferees expect that the funding provided will support all of the Corporation's current employees, including those whom the Corporation has previously funded within subtitle H funds, including National Senior Service Corps recruitment employees.

The conferees reiterate report language proposed by the Senate regarding the Alternative Personnel System.

OFFICE OF INSPECTOR GENERAL

Appropriates $6,250,000 for Office of Inspector General, instead of $6,000,000 as proposed by the House and $6,500,000 as proposed by the Senate.

Retains report language proposed by the Senate directing the Inspector General to audit AmeriCorps*State and National grantees which are in the top ten percent of receiving the most grant funds.

ADMINISTRATIVE PROVISIONS

Retains the two administrative provisions proposed by both the House and Senate regarding qualified student loans eligible for education awards and the availability of funds for the placement of volunteers with disabilities.

Inserts a new administrative provision, which was proposed by the Senate under the national and community service programs operating expenses account. The conference agreement includes modified language directing the Inspector General to levy sanctions in accordance with standard Inspector General audit resolution procedures, which include, but are not limited to, debarment of any grantee found to be in violation of AmeriCorps program requirements, including using funds to lobby the Congress.

The conference agreement includes a new administrative provision proposed by the Senate as a general provision requiring the Corporation to ensure 1) that significant changes to program requirements or policy are made only through public notice and comment rulemaking; and 2) the integrity of the grant selection process.

U.S. COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

Appropriates $15,938,000 for salaries and expenses as proposed by the House instead of $16,220,000 as proposed by the Senate. Both the House and the Senate provided $1,175,000 for the pro bono program.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

Appropriates $29,000,000 for salaries and expenses instead of $25,961,000 as proposed by the House and $32,000,000 as proposed by the Senate, and provides $1,000 for official representation expenses.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

Appropriates $78,744,000 as proposed by the Senate instead of $80,000,000 as proposed by the House.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

Appropriates $73,467,000 for toxic substances and environmental public health as proposed by both the House and Senate. This funding is to be derived from the Superfund Trust Fund to the extent resources are available. Any remaining requirements will come from the General Treasury.

ENVIRONMENTAL PROTECTION AGENCY

The conference agreement includes $8,411,469,000 for programs administered by the Environmental Protection Agency. This is an increase of $332,765,000 over the level provided in fiscal year 2003.

SCIENCE AND TECHNOLOGY

Appropriates $786,324,000 for science and technology instead of $759,815,000 as proposed by the House and $715,579,000 as proposed by the Senate. The conference agreement includes language which allows the EPA Administrator to certify a grant in a prior year Appropriations Act to San Bernardino, California.

The conferees have agreed to specific Agency program levels as follows:

1. $7,000,000 for Communicating Research Information;
2. $35,000,000 for Particulate Matter;
3. $32,000,000 for Research to Support Emerging Issues;
4. $9,750,000 for the STAR Fellowship program;
5. $11,700,000 for small systems arsenic removal research.

The conferees have agreed to the following increases above the budget request:

1. $2,500,000 for EPSCoR;

2. $4,000,000 for the Water Environmental Research Foundation;

3. $5,000,000 for the American Water Works Association Research Foundation;

4. $2,000,000 for the National Decentralized Water Resource Capacity Development Project, in coordination with EPA, for continued training, research and development;

5. $500,000 to the University of California, Riverside for development of vehicle emissions measurement technology and improved models for assessing the effectiveness of new technologies and control strategies at the College of Engineering—Center for Environmental Research and Technology (CE–CERT) facility;

6. $1,500,000 to California State University, Fresno for the International Center for Water Technology;

7. $100,000 to California State University, Fullerton to enhance ongoing research related to water hazard mitigation;

8. $750,000 for the University of South Florida Study, Protection and Amelioration of Coastal Environments;

9. $250,000 to the University of Miami National Center for Caribbean Coral Reef Research;

10. $850,000 to the Metropolitan Mayors Caucus for Chicago, Illinois for the Clean Air Counts Campaign;

11. $500,000 to Western Michigan University in Kalamazoo, Michigan for the Great Lakes Center for Environmental and Molecular Science;

12. $1,375,000 for the National Center for Manufacturing Sciences in Ann Arbor, Michigan for assisting EPA in meeting the Strategic Goals Program in the metal finishing sector;

13. $700,000 to the University of North Carolina at Chapel Hill for a Green Chemical Manufacturing and Processing research program;

14. $200,000 for turfgrass research centers at the University of Georgia and North Carolina State University to develop turfgrass management strategies;

15. $500,000 for the State of New Jersey pilot and demonstration project for further development of proven, affordable, and effective dredge contaminant reduction technologies;

16. $250,000 to LaGuardia Community College, New York for research related to environmental impacts on minority women throughout Queens and the Bronx;

17. $300,000 to Alfred University for the Center for Environmental and Energy Research;

18. $250,000 to New York University for the South Bronx Air Pollution Study;

19. $8,775,000 for the Environmental Systems Center of Excellence at Syracuse University for research and technology transfer in the fields of indoor environmental quality and urban ecosystems sustainability;

20. $1,000,000 to the Syracuse Research Corporation in Syracuse, New York, for the continuation of environmental research at its Probability Risk Assessment Center;

21. $750,000 for the Consortium for Plant Biotechnology Research;

22. $200,000 for the National Environmental Technology Incubator at Central State University for technology transfer and commercialization activities;

23. $900,000 for the Integrated Petroleum Environmental Consortium;

24. $750,000 for the Integrated Public/Private Energy and Environmental Consortium (IPEC) to develop cost-effective environmental technology, improved business practices, and technology transfer for the domestic petroleum industry;

25. $250,000 to the Overbrook Environmental Educational Center—a community based Technology and Literacy center, with a primary focus on environmental exploration and educational services—for environmental protection and conservation efforts at the center's on-site Green Roof and Bio-lab;

26. $350,000 to the University of South Carolina for a geologic study for uranium groundwater contamination;

27. $200,000 for Middle Tennessee State University for research on cedar glades;

28. $2,000,000 for the Mickey Leland National Urban Air Toxics Research Center in Houston, Texas;

29. $1,000,000 for the University of Texas Learning and Computation Center;

30. $250,000 for the Texas Institute for Environmental Assessment and Management at the University of North Texas, Denton for watershed research;

31. $1,700,000 for the Canaan Valley Institute to continue to develop a regional sustainability support center and coordinated information system in the Mid-Atlantic Highlands;

32. $1,000,000 for the Canaan Valley Institute in close coordination with the Regional Vulnerability and Assessment (ReVA) initiative and ORD Re+ program to demonstrate, validate and report on critical ecological hubs and corridors within the Mid-Atlantic Highlands and approaches to Highlands ecological prioritization, restoration and conservation. Research and educational tools are to be developed using integrative technologies to predict future environmental risks and support informed, proactive decision-making to be undertaken in conjunction with the Highlands Action Program;

33. $250,000 for the Carnegie Mellon University Green Chemistry Initiative;

34. $200,000 to the City of Saltillo, Mississippi, for demonstration of new wastewater disinfection technologies;

35. $500,000 for the New England Green Chemistry Consortium;

36. $1,000,000 for the National Environmental Respiratory Center at the Lovelace Respiratory Research Institute;

37. $3,900,000 for the Mine Waste Technology Program at the National Environmental Waste Technology, Testing, and Evaluation Center;

38. $500,000 for the Center for the Study of Metals in the Environment;

39. $1,200,000 for the Center for Air Toxic Metals at the Energy and Environmental Research Center;

40. $1,500,000 for the Connecticut River Airshed-Watershed Consortium;

41. $250,000 for acid rain research at the University of Vermont;

42. $100,000 for the University of Vermont's Proctor Maple Research Center to continue mercury deposition monitoring effects;

43. $100,000 for the University of Vermont's land use mapping initiative;

44. $200,000 for the Vermont Department of Agriculture to work with conservation districts and local communities to reduce nonpoint source run-off in the Allen Brook watershed;

45. $425,000 for the Southwest Clean Air Quality Agency's Columbia Gorge Air Quality Technical Foundation Study;

46. $400,000 for the Clark County Department of Air Quality Management/Desert Research Institute in Nevada for the ozone transport monitoring project;

47. $400,000 to demonstrate containment and disposal technologies associated with the Arnold Heights project in California;

48. $425,000 for Southeastern Louisiana University for the Turtle Cove research station;

49. $1,000,000 for the National Jewish Medical and Research Center in Colorado;

50. $300,000 for Utah State University for monitoring and assessment activities related to freshwater ecosystems;

51. $1,000,000 for the Houston Advanced Research Center and the University of Texas Air Quality Study;

52. $1,000,000 for the University of South Alabama for the Center for Estuarine Research;

53. $2,000,000 for an air quality program for Anchorage, Alaska;

54. $800,000 for Ohio University's Air Quality Center to develop an advanced modeling program on air quality issues in the Ohio River valley region;

55. $1,000,000 to the Donald Danforth Plant Science Center in Missouri for a Parasitic Nematode Controls research project;

56. $500,000 to the Donald Danforth Plant Science Center in Missouri for the development of technologies for environmental phytoremediation and the development of technologies for extending the environmentally safe use of biotechnology for phytoremediation, and for the production of novel materials and compounds in plants;

57. $800,000 for Montec Research in Butte, Montana to research pilot scale enzyme catalyzed processes;

58. $750,000 for the Frank M. Tejeda Center for Excellence in Environmental Operations at Texas A&M;

59. $800,000 for the University of Northern Iowa for new environmental technologies for small businesses;

60. $1,000,000 for the Alabama Department of Environmental Management for the Alabama Water and Wastewater Training Program;

61. $1,000,000 for the Desert Research Institute for western Nevada regionally-based clean water activities;

62. $150,000 for Texas State University at San Marcos International Institute for Sustainable Water Resources.

The conferees are fully supportive of the collaborative partnership of the EPA and the National Institutes of Health in their system of Centers for Children's Environmental Health and Disease Prevention Research. The conferees direct that EPA continue to support a competitive system of not less than twelve such centers and that it maintain the average level of funding for each center at not less than the historic level of approximately $500,000 for direct costs.

From within amounts transferred to "Science and Technology" from "Hazardous Substance Superfund", the conferees direct that funding for the Gulf Coast Hazardous Substance Research Center continue at no less than the fiscal year 2003 level.

The conferees continue to support the partnership between the EPA and the National Technology Transfer Center and direct that the Agency continue the cooperative agreement at the fiscal year 2001 funding level.

The conferees direct EPA to contract with the National Academy of Sciences within 60 days of enactment for two separate studies: (1) a study on the health risks to children from residential lead contamination, as proposed by the Senate; and (2) a study of health, safety, and environmental risks of coal combustion wastes used for reclamation in active and abandoned mines.

The conferees are aware of the progress being made by the Agency through its Climate Protection Program: Transportation program on the development of clean, cost effective, and high fuel efficiency engine and powertrain technologies. The conferees direct that the Agency continue to fund the clean automotive technology program on advanced hybrid vehicles, extremely clean diesel technologies, and advanced gasoline engine concepts at levels sufficient to complete this work in fiscal year 2004.

The conferees are aware that EPA released its draft risk assessment of Chromated Copper Arsenate (CCA)-treated play sets and decks on November 12, 2003, and is seeking the advice of its Science Advisory Panel (SAP) regarding this probabilistic assessment of cancer risk. The conferees understand that this risk assessment is scheduled for a final release later this year following the SAP review. The conferees are aware that EPA—in conjunction with industry and other stakeholders—has developed a draft biomonitoring study protocol consistent with SAP recommendations and intends to complete a biomonitoring study by October 2004. This study will provide additional information on CCA risk. Once this biomonitoring study is complete, the conferees expect that EPA will make any appropriate changes to the final risk assessment and re-issue the assessment accordingly.

The conferees are aware of the Florida Area Coastal Environmental (FACE) Initiative to identify and investigate the sources of nutrients, trace metals, and unregulated substances entering the coastal waters of Florida. This initiative's participants include local, state, and federal agencies and the Florida university community led by the University of South Florida Department of Marine Science and the University of Miami's Center for Marine Ecosystem Science and Policy. The conferees direct EPA to report back

to the Committees on Appropriations by March 1, 2004, on progress toward implementation of the FACE program.

The conferees are encouraged by new technology that has the potential to eliminate contaminating microorganisms from water, and ultimately reducing and halting the spread of disease through contaminated water. The conferees commend the efforts of EPA to bring this technology to bear upon current water treatment and purification problems, and strongly encourage EPA to continue to foster this technology.

The conferees are aware of promising developments in idle reduction technologies, including advanced truck stop electrification. The conferees urge the Agency to fund demonstration pilots of this technology as part of its SmartWay Transport program.

The conferees encourage EPA to use and expand programs at Historically Black Colleges and Universities to leverage available resources in existing programs for capacity building and coordinated research to broaden the base of quality water resource centers throughout the country.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

Appropriates $2,293,578,000 for environmental programs and management instead of $2,193,102,000 as proposed by the House and $2,219,659,000 as proposed by the Senate.

The conferees have agreed to specific Agency program levels as follows:

1. $24,500,000 for the National Estuary Program;
2. $22,800,000 for the Chesapeake Bay Program, including $2,000,000 for Chesapeake Bay small watershed grants;
3. $2,500,000 for the Lake Pontchartrain Basin Restoration Program;
4. $2,300,000 for the Long Island Sound Program Office;
5. $2,455,000 for the Lake Champlain Basin program;
6. $5,750,000 for Environmental Justice programs;
7. $115,000,000 for Management Services and Stewardship;
8. $35,000,000 for Regional Management;
9. $32,000,000 for Information Technology Management;
10. $15,000,000 for Data Standards;
11. $23,000,000 for Data Management;
12. $16,473,000 for Geospatial;
13. $33,500,000 for Regulatory Development;
14. $14,000,000 for RCRA Waste Reduction;
15. $10,000,000 for the Great Lakes Legacy Act;
16. $43,000,000 for Drinking Water Implementation;
17. $26,000,000 for Drinking Water Regulations;
18. $8,976,000 for Direct Public Information and Access;
19. $27,500,000 for Brownfields administration;

The conferees have agreed to the following increases to the budget request:

1. $5,400,000 for the Office of Enforcement and Compliance Assurance for personnel and associated costs;
2. $2,000,000 for EPA Region 10 for environmental compliance;
3. $1,000,000 to the Office of Enforcement and Compliance Assurance for enforcement of the bilateral agreement between the

U.S. and Canada concerning the transboundary movement of municipal solid waste;

4. $9,160,000 for EPA Environmental Education;

5. $18,900,000 for rural water technical assistance activities and groundwater protection with distribution as follows: $10,000,000 for the NRWA; $4,000,000 for RCAP, to be divided equally between assistance for water programs and assistance for wastewater programs; $750,000 for GWPC; $2,000,000 for Small Flows Clearinghouse; $1,000,000 for the NETC; and $1,150,000 for the WSC Wellcare Program;

6. $1,000,000 for the National Biosolids Partnership Program;

7. $2,000,000 for source water protection programs;

8. $5,000,000 for a cost-shared grant program to school districts for necessary upgrades of their diesel bus fleets;

9. $4,000,000 for grants to interested States to establish a long-term ambient monitoring and assessment framework at relevant geographic scales to support all water quality management objectives;

10. $3,000,000 for EPA's National Computing Center to provide for the remote mirroring of all critical information and related systems to achieve a Continuance of Operations (COOP)/Disaster Recovery capability;

11. $5,000,000 for America's Clean Water Foundation for implementation of on-farm environmental assessments for livestock operations;

12. $1,500,000 to support and implement the Highlands Action Program (HAP) of the Agency, including, but not limited to, federal personnel and related costs;

13. $250,000 to the City of Prichard, Alabama for a comprehensive water and wastewater improvement study;

14. $500,000 for the Central California Ozone Study;

15. $200,000 to the San Joaquin Valley Air Pollution Control District, California for its Operation Clean Air public education program;

16. $300,000 to the Golden Gate National Parks Conservancy, California and National Park Service for shoreline and habitat restoration;

17. $750,000 to the Santa Clara Valley Water District in California for groundwater remediation;

18. $2,500,000 for the Southwest Center for Environmental Research and Policy;

19. $300,000 to the Florida Department of Agriculture and Consumer Services for its Reclaimed Rainwater Irrigation Project to demonstrate nonpoint source pollution prevention;

20. $1,200,000 to Florida Gulf Coast University for the Institute of Coastal Watershed Studies;

21. $2,000,000 for Osceola County, Florida to treat invasive plants (Hydrilla and Hygophila) in the County's watershed and drainage system;

22. $100,000 for development and implementation of the Georgia Water Planning and Policy Center, Offset Banking Water Quality Improvement program;

23. $400,000 to the Georgia Environmental Training and Education Authority for a lagoon waste management demonstration program;

24. $175,000 to Cerro Gordo County, Iowa for continuation of the initiatives related to the Clear Lake Restoration Project;

25. $200,000 to Storm Lake, Iowa for the Storm Lake Water Quality Project;

26. $100,000 to the Palouse Basin Aquifer Committee for monitoring programs and pilot studies on how to stabilize the deep aquifer water levels and ensure a long-term water supply for the Palouse region serving the Cities of Moscow, Idaho and Pullman, Washington, the University of Idaho, Washington State University and the surrounding areas in Latah County, Idaho and Whitman County, Washington;

27. $300,000 for the Selenium Information System Project at the Idaho National Engineering and Environmental Laboratory;

28. $500,000 to the State of Idaho for Producers Supply Co-op to carry out a program of environmental response for fuel contamination cleanup;

29. $2,000,000 for the Coeur d'Alene Basin Commission to continue a pilot program for environmental response, natural resource restoration and related activities;

30. $1,500,000 to Boise State University for research projects aimed at developing and demonstrating multi-purpose sensors to detect and analyze contaminants and time-lapse imaging of shallow subsurface fluid flow;

31. $600,000 to the Illinois Environmental Protection Agency for the Fox River Watershed Management Program;

32. $1,450,000 for the Olmsted Parks Conservancy for a regional watershed demonstration in the Louisville, Kentucky Olmsted Parks;

33. $1,550,000 for the Louisville Waterfront Development Corporation, a non-profit corporation in Kentucky, for a riverbank stabilization project to demonstrate pollution run-off reduction strategies;

34. $400,000 for Red River Watershed Management Institute at Louisiana State University-Shreveport for research, education, and community service/outreach related to watershed management in the area drained by the Red River and its tributaries;

35. $200,000 for St. Mary's College, Maryland for the River and Lands Institute;

36. $175,000 to Oakland County, Michigan for the Clinton River Watershed Initiative including watershed research and modeling, creation of a web-based database on stream flow and water quality, bacterial source tracking, and outreach activities;

37. $1,000,000 for the Oakland County Drain Commission, Michigan for water and sewerage infrastructure management and planning;

38. $125,000 for the Hypoxia Education and Stewardship Project in Kansas City, Missouri;

39. $250,000 for Wake County, North Carolina for a groundwater protection program;

40. $1,000,000 for the North Carolina Rural Economic Development Center to develop a statewide Water and Wastewater Assessment, Management and Security Initiative;

41. $850,000 for continued support of a North Carolina Central University research initiative to assess environmental exposure and impact in communities of color and economically disadvantaged communities;

42. $175,000 to the University of Nebraska, Lincoln for development of a large-scale, system-level mathematical model of critical water resources in western Nebraska;

43. $100,000 to the State of New Jersey for the New Jersey Geographic Information System Smart Growth Program;

44. $200,000 for Monmouth University, New Jersey, for the Center for Coastal Watershed Management to promote watershed research and education;

45. $300,000 to the Rutgers Noise Technical Assistance Center at the State University of New Jersey to conduct a study of environmental noise from interstate freight railroad operations in Teaneck, New Jersey;

46. $100,000 for the Peconic Estuary Program Office in Riverhead, New York for implementation of a Comprehensive Conservation and Management Plan;

47. $150,000 in technical assistance grants to Washington County, Rensselaer County, and Saratoga County, New York, for Hudson River stewardship programs;

48. $200,000 to Orange County, New York for a county-wide water analysis;

49. $200,000 to Madison County, New York for the landfill gas to energy project;

50. $200,000 for Columbia University in New York City, New York for education and training related to ongoing biomedical research on environmentally induced cancers and immunological responses, at the Audubon Biomedical Science and Technology Park;

51. $250,000 to Wayne County, New York for the development of a Sodus Bay comprehensive watershed management plan;

52. $250,000 to the Center for Environmental Information in Rochester, New York for planning, research and environmental analysis for a Lake Ontario coastline remediation and restoration initiative;

53. $300,000 for the NADO (National Association of Development Organizations) Research Foundation for environmental training and information dissemination related to rural brownfields, air quality standards and water infrastructure;

54. $350,000 to the State University of New York Environmental School of Forestry for research and demonstration of contaminant mitigation strategies for rural/suburban run-off affecting water quality along the rural-urban interface in Central New York watersheds;

55. $350,000 to the State University of New York Environmental School of Forestry for an Onondaga Creek habitat restoration demonstration initiative;

56. $750,000 to Cortland County, New York for continued work on the aquifer protection plan, of which $350,000 is for continued

implementation of the comprehensive water quality management program in the Upper Susquehanna Watershed;

57. $1,500,000 for continued work on water management plans for the Central New York Watersheds in Onondaga and Cayuga counties;

58. $500,000 for Springfield, Ohio for environmental restoration activities;

59. $250,000 to Children's Hospital of Philadelphia (CHOP) Community Asthma Prevention program to increase awareness of environmental asthma triggers in the homes of families in Philadelphia;

60. $500,000 to the Caribbean American Mission for Education Research and Action (CAMERA) in support of their youth environmental stewardship and education program;

61. $200,000 to the National Energy Technology Center for the Monogahela River Mine Pool Study in Northwestern West Virginia and Southwestern Pennsylvania;

62. $500,000 to the City of Philadelphia, Pennsylvania, for lead screening, testing, outreach and education throughout the public school system;

63. $750,000 to Environment and Sports Inc., a nonprofit organization, for an environmental and awareness program;

64. $1,500,000 to the American Cities Foundation for the Neighborhood Environmental Action Team program and other community environmental efforts;

65. $250,000 to the Brazos River Authority for the Brazos/Navasota Watershed Management project;

66. $50,000 to Frederick County, Virginia for a water resources study in the counties of Frederick, Warren, Clark and Shenandoah in Virginia and Berkley County in West Virginia;

67. $200,000 to Loudoun County, Virginia for development of a comprehensive watershed management plan;

68. $700,000 to the Columbia Basin Groundwater Management Area in Washington State for the Columbia Basin Groundwater Management Area Study;

69. $500,000 for the Washington Puget Sound Action Team for rapid assessment and response to declining oxygen levels in the Hood Canal;

70. $800,000 to the Polymer Alliance Zone's MARCEE Initiative with oversight provided by the Office of Solid Waste;

71. $2,000,000 for on-going activities at the Canaan Valley Institute, including activities relating to community sustainability.

72. $4,000,000 for the Small Public Water System Technology Centers at Western Kentucky University, the University of New Hampshire, the University of Alaska-Sitka, Pennsylvania State University, the University of Missouri-Columbia, Montana State University, the University of Illinois, and Mississippi State University;

73. $500,000 for the Kenai River Center in Kenai, Alaska;

74. $500,000 for the State of New Hampshire for the New Hampshire Estuaries Project;

75. $3,000,000 for the University of Oklahoma for surface water treatment, monitoring and environmental remediation of

mine-waste tailings in the Tar Creek and Spring Creek watersheds in Ottawa County, Oklahoma;

76. $1,000,000 for the State of Alaska to conduct a mercury testing program on seafood;

77. $500,000 for the New Hampshire Department of Environmental Services for a milfoil and invasive species removal program;

78. $1,000,000 for the University of Nebraska-Lincoln for the development of innovative cleanup technologies for environmental contamination of soil and water;

79. $500,000 for the University of Louisville Center for Infrastructure Research in Kentucky for research of ways to address problems caused by obsolete designs, aging facilities and growing demands on water, wastewater and sewer infrastructure;

80. $500,000 for the Western Kentucky University Center for Wastewater Research for research on wastewater and management issues;

81. $1,000,000 for the Watershed of the Ozarks in Missouri for the Valley Mill Watershed Project;

82. $1,000,000 for the University of Missouri at Columbia for the Innovative Technologies for Nutrient Management Project;

83. $1,000,000 for the Missouri Pork Producers Association for the development of environmental processes for agricultural producer certifications;

84. $450,000 for the Village of Questa, New Mexico for an impact study on the quality of groundwater and surface water sources and for costs related to mine reclamation;

85. $750,000 for the Ohio River Valley Water Sanitation Commission to complete a riverwide TMDL review of dioxin and PCBs;

86. $750,000 for the Lake Pontchartrain Basin Foundation for Lake Pontchartrain water quality improvement projects.

87. $250,000 for the Maryland Bureau of Mines for an acid mine drainage remediation project;

88. $1,000,000 for projects demonstrating the benefits of Low Impact Development along the Anacostia Watershed in Prince Georges County, Maryland, including $500,000 for storm drains and trash traps;

89. $250,000 for the Midwest Technology Assistance Center at the University of Illinois;

90. $500,000 for the Sacramento Regional County Sanitation District for toxic pollutant control;

91. $500,000 for the Center for Agricultural and Rural Development at Iowa State University for the Resource and Agricultural Policy Systems program;

92. $500,000 for the Small Business Pollution Prevention Center at the University of Northern Iowa;

93. $500,000 for the painting and coating assistance initiative through the University of Northern Iowa;

94. $500,000 for the Department of Water Supply, County of Maui, Hawaii for the upcountry Maui lead-water reduction plan;

95. $250,000 for the Economic Development Alliance of Hawaii to promote biotechnology to reduce pesticide use;

96. $400,000 for the County of Hawaii and the Hawaii Island Economic Development Board for community-based waste recycling and reuse system;

97. $200,000 for the Milwaukee Community Services Corps for a phytoremediation treatability plan;

98. $300,000 for the Great Lakes Indian and Wildlife Commission;

99. $250,000 for the Northwest Straits Commission for Washington State University's beach watchers program;

100. $350,000 for the Northwest Indian Fisheries Commission tribal water quality program;

101. $300,000 for the Walker Lake Working Group in Nevada for scientific, analytical, and other technical assistance to evaluate solutions for the restoration of Walker Lake;

102. $200,000 to the Walker Lake Paiute Tribe to conduct environmental remediation of ordnance and other toxic materials on tribal lands;

103. $325,000 for the Shoshone-Paiute Tribe for an environmental characterization study of mine drainage on the Owybee River, riparian areas, and other areas on the Tribe's Duck Valley Reservation;

104. $750,000 for the University of West Florida's PERCH program;

105. $200,000 for pollution prevention of Wreck Pond and nearby beaches in Spring Lake, New Jersey;

106. $250,000 for a storm water research initiative at the University of Vermont;

107. $500,000 for New Bedford, Massachusetts, for environmental education and science programs;

108. $200,000 for the Northeast Waste Management Officials Association [NEWMOA];

109. $200,000 for the Northeast States for Coordinated Air Use Management [NESCAUM];

110. $2,000,000 for the National Alternative Fuels Training Consortium; and

111. $500,000 for the Clinton River Watershed Initiative in Michigan.

The conferees strongly support the objectives of the Agency's enforcement program, and have provided additional resources to enable the Agency to fund a total of not less than 2,237 enforcement FTEs in this account (3,465 FTEs throughout the Agency), equal to the fiscal year 2003 enacted level.

The conference agreement provides the full budget request for the Endocrine Disruptor Screening Program (EDSP), the High Production Volume (HPV) Chemical Challenge Program, and the Voluntary Children's Chemical Evaluation Program (VCCEP).

The conference agreement also provides the full budget request for the Great Lakes National Program Office.

The conference agreement provides the full budget request of $2,000,000 for the Water Information Sharing and Analysis Center (Water ISAC) to gather, analyze, and disseminate sensitive security information to water and wastewater systems. The conferees direct that the Water ISAC shall be implemented through a grant to the Association of Metropolitan Water Agencies.

The conferees have, within available funds, provided $2,000,000 for nine Environmental Finance Centers, the same as for fiscal year 2003. Also from within available funds, the Agency

is provided with $250,000 to continue development of BASINS models, GIS mapping, integration with other financial and planning tools, and incorporation of cost-effectiveness considerations into integrated priority ranking systems.

Within available funds, the Agency is directed to contract with an independent research organization, within 60 days of enactment, to complete a comprehensive study of jobs created by water infrastructure financing, as proposed by the Senate.

The conferees expect EPA to specify all funding for paid advertising throughout the Agency in the fiscal year 2004 operating plan and in the fiscal year 2005 budget submission.

The conferees are concerned that Federal agencies continue to receive failing grades due to weaknesses in cyber security management. To address this weakness, the conferees believe agencies can use vulnerability management as a means of securing critical computer networks. The conferees direct EPA to provide no less than $500,000, within available funds, to demonstrate a cyber-security/vulnerability management solution which, in real time, continuously and accurately discovers network exposures and measures policy compliance in an extensible and scalable manner. This management solution can be achieved by using appliance-based technology to run a hardened operating system that communicates through encryption using digital certificates for authentication. The conferees direct the Agency to report to the Committees on Appropriations on the efficacy of this technology no later than October 1, 2004.

The conferees understand that EPA supports Electro Catalytic Oxidation, a multi-pollutant control technology for coal fired power plants. The conferees encourage EPA to continue to explore the potential clean air benefits of this promising technology.

The conferees support the Agency's electronics recycling initiative, and encourage the Agency to support pilot projects through the Polymer Alliance Zone's MARCEE Initiative to develop a market-based sustainable electronics recycling infrastructure.

OFFICE OF INSPECTOR GENERAL

Appropriates $37,558,000 for the Office of Inspector General, an increase of $750,000 over the amounts proposed by the House and the Senate. In addition to amounts appropriated directly to the OIG, $13,214,000 is also available by transfer from funds appropriated for the Hazardous Substance Superfund.

The conferees have included language designating the Inspector General of EPA to serve as the Inspector General for the Chemical Safety and Hazard Investigation Board. An additional $750,000, not in the budget request, and up to 5 FTEs are provided in fiscal year 2004 for this function. The conferees direct that adequate funding be included in the budget request in future fiscal years to carry out this function.

BUILDINGS AND FACILITIES

Appropriates $40,000,000 for buildings and facilities, instead of $42,918,000 as proposed by the Senate and $42,368,000 as proposed by the House.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $1,265,000,000 for Hazardous Substance Superfund as proposed by the Senate instead of $1,275,000,000 as proposed by the House. Bill language provides that such sums as are available from the Superfund trust fund upon the date of enactment are available for this activity, with the remainder to be derived from general revenues of the Treasury. Additional language provides for the transfer of $13,214,000 to the Office of Inspector General, and for the transfer of $44,697,000 to the Science and Technology account. The conference agreement does not include delayed obligations in the superfund account as proposed by the Senate.

The conferees have agreed to the following fiscal year 2004 funding levels:

1. $880,281,000 for Superfund response and cleanup activities, an increase of $28,895,000 over the fiscal year 2003 enacted level.
2. $147,557,000 for enforcement activities.
3. $140,425,000 for management and support.
4. $13,214,000 for transfer to the Office of Inspector General.
5. $44,697,000 for research and development activities, to be transferred to the Science and Technology account.
6. $38,826,000 for reimbursable interagency activities, including $28,150,000 for the Department of Justice and $10,676,000 for OSHA, FEMA, NOAA, the United States Coast Guard, and for the Department of the Interior.

The conferees direct the EPA IG to conduct an evaluation of Superfund expenditures at headquarters and the regions and recommend options for increasing resources directed to extramural cleanup while minimizing administrative costs. The conference agreement does not include a provision, as proposed by the Senate, to require EPA to allocate a specific percentage of its superfund budget to site remedy construction and long-term response activities. However, the conferees expect EPA to direct the maximum possible resources to these activities, and look forward to reviewing the IG's recommendations for increasing funding for these critical activities within available resources.

The conferees direct the EPA Inspector General to conduct an investigation into all financial transactions, including revenue and spending, by the Gloucester Environmental Management Services (GEMS) Trust, and make its findings available to the public no later than April 1, 2004.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

Appropriates $76,000,000 for the leaking underground storage tank program instead of $79,845,000 as proposed by the House and $72,545,000 as proposed by the Senate.

OIL SPILL RESPONSE

Appropriates $16,209,000 for oil spill response as proposed by the House and the Senate.

STATE AND TRIBAL ASSISTANCE GRANTS

Appropriates $3,896,800,000 for state and tribal assistance grants instead of $3,601,950,000 as proposed by the House and $3,814,000,000 as proposed by the Senate. Bill language specifically provides $1,350,000,000 for Clean Water State Revolving Fund (SRF) capitalization grants, of which up to $75,000,000 is to be made available for use by States that choose to make loans, including interest-free loans, that increase non-point and non-structural, decentralized alternatives, expanding the choices available to communities in their fight for clean water. The conferees again strongly encourage States that can do so to pursue innovative technologies in this regard, but emphasize that this program is voluntary and that States not participating in the program will nevertheless continue to receive their normal level of funding through the established SRF formulas.

Additional bill language provides $850,000,000 for Safe Drinking Water SRF capitalization grants; $50,000,000 for the United States-Mexico Border program; $43,000,000 for grants to address drinking water and wastewater infrastructure needs in rural and native Alaska communities; $3,500,000 for remediation of above ground leaking fuel tanks in Alaska pursuant to Public Law 106–554; $6,600,000 for grants for construction of alternative decentralized wastewater facilities; $93,500,000 for Brownfields grants; $1,175,200,000 for categorical grants to the states and tribes, including $50,000,000 for Brownfields categorical grants and $20,000,000 for the Environmental Information Exchange program; and $325,000,000 for cost-shared grants for construction of water and wastewater treatment facilities and infrastructure and for groundwater protection infrastructure.

The conferees have included bill language which: (1) for fiscal year 2004, authorizes the Administrator of the EPA to use funds appropriated pursuant to the Federal Water Pollution Control Act (FWPCA) to make grants to Indian tribes pursuant to section 319(h) and 518(e) of FWPCA; (2) will permit the states to include as principal amounts considered to be the cost of administering SRF loans to eligible borrowers, with certain limitations; (3) for fiscal year 2004, authorizes the states to transfer funds between the Clean Water and Safe Drinking Water SRF programs; and (4) stipulates that no funds provided in the Act to address water infrastructure needs of colonias within the United States along the United States-Mexico border shall be made available to a county or municipal government unless that governmental entity has established an enforceable ordinance or rule which prevents the development or construction of any additional colonia areas, or the development within an existing colonia of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure.

As in previous years, the conferees have included bill language which stipulates that none of the funds provided in this or any previous years' Act for the Safe Drinking Water SRF may be reserved by the Administrator for health effects studies on drinking water contaminants. The conferees have instead provided significant re-

sources for such studies within EPA's Science and Technology account.

The conferees have included new bill language which sets certain requirements for Alaska Native Village grants, including: (1) a 25% cost share from the State of Alaska; (2) a limitation on administrative expenses; and (3) the establishment of a statewide priority list and a set-aside for regional hub communities.

The conferees eliminated a provision included by the Senate which was designed to make the use of targeted water and wastewater investments in combination with funding from state revolving funds more flexible. The House did not include this provision. Because of concerns over the best way to address flexibility in the combined use of these funds, the conferees instead direct the EPA to report to the House and Senate Committees on Appropriations by February 15, 2004 with recommendations on ways to enhance the combined use of these funds.

The conferees have included bill language which makes technical corrections and changes to grants approved in previous fiscal years.

Of the funds provided for the United States-Mexico Border program, $7,000,000 is for continuation of the El Paso, Texas desalination and water supply project, and $2,000,000 is for the Brownsville, Texas water supply project.

The conference agreement provides $6,600,000 for six specific grants under the National Decentralized Wastewater Demonstration program. The program, which has shown success in developing and transferring technologies which offer alternatives to centralized wastewater treatment facilities, also requires a cost-share whereby each grantee must provide 25% of the project's total cost. The six projects included for funding are located in Seattle, Washington ($1,350,000); Blackstone Watershed, Massachusetts and Rhode Island ($1,350,000); Boise, Idaho ($1,000,000); Pasquotank River Watershed, North Carolina ($1,350,000); Washington, D.C. ($800,000); and Chagrin River Watershed, Ohio ($750,000). As in previous years, these projects were determined by non-governmental, independent analysis based upon their unique and diverse geology and geography, their ability to provide the greatest technological diversity using limited financial resources, and the commitment of each community or regional area to find and fund appropriate alternative technologies to resolve their wastewater treatment needs.

Within the State and Tribal Categorical Grant program, the conference agreement includes:

1. $228,550,000 for air resource assistance to State and local governments under sections 103 and 105 of the Clean Air Act, including $10,000,000 for the five State/Regional Haze planning organizations;

2. $11,050,000 for air resource assistance grants to Tribal governments;

3. $8,150,000 for radon grants;

4. $200,400,000 for water pollution control Agency resource supplementation under section 106 of FWPCA;

5. $10,000,000 for beach grants to develop and implement monitoring and information programs for coastal recreation waters pur-

suant to the Beach Environmental Assessment and Coastal Health Act of 2000;

6. $238,550,000 for section 319 of FWPCA non-point source pollution grants, including programs formerly eligible under the section 314 Clean Lakes program;

7. $15,000,000 for wetlands program development grants;

8. $19,000,000 for water quality cooperative agreements under section 104(b)(3) of FWPCA;

9. $15,000,000 for targeted watershed grants;

10. $102,600,000 for public water system supervision grants;

11. $11,000,000 for underground injection control grants;

12. $5,000,000 for Drinking Water Program State Homeland Security Coordination grants;

13. $106,400,000 for RCRA financial assistance grants;

14. $50,000,000 for Brownfields categorical cleanup grants;

15. $11,950,000 for underground storage tank grants;

16. $13,100,000 for pesticides program implementation grants;

17. $13,700,000 for lead risk reduction grants;

18. $5,150,000 for toxic substances compliance/enforcement grants;

19. $19,900,000 for pesticides enforcement grants;

20. $20,000,000 for the information exchange network program;

21. $6,000,000 for pollution prevention incentive grants;

22. $2,250,000 for enforcement and compliance assurance grants; and

23. $62,500,000 for Indians general assistance grants.

The conferees have not provided funding for a grant for drinking water infrastructure improvements in San Juan, Puerto Rico.

The conferees have provided $325,000,000 for a targeted program making grants to communities for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection. As in past years, these grants shall be accompanied by a cost-share requirement whereby 45 percent of a project's cost is the responsibility of the community or entity receiving the grant. In those few cases where such cost-share requirement poses a particular financial burden on the recipient community or entity, the conferees support the Agency's use of its longstanding guidance for financial capability assessments to determine reductions or waivers from this match requirement.

With the exception of the limited instances in which an applicant meets the criteria for a waiver, the conferees have provided no more than 55% of an individual project's cost, regardless of the amount appropriated below. Consistent with direction in the fiscal year 2003 Conference Report on this bill, the phrase 'terms and conditions' referenced in the bill language includes the maximum 55% federal share, as well as the intended recipients and the specific project descriptions, as listed below.

The distribution of funds under this program is as follows:

1. $85,000 to the City of Cedar Bluff, Alabama for wastewater infrastructure improvements;

2. $90,000 to the Town of Pennington, Alabama for water and wastewater infrastructure improvements;

3. $100,000 to the Fayette, Alabama, Water Works Board for water system infrastructure improvements;

4. $100,000 to the Limestone County Water and Sewer Authority, Alabama for drinking water improvements;

5. $100,000 to the City of Athens, Alabama for wastewater system improvements;

6. $100,000 to Lawrence County, Alabama for the Bankhead Forest Water project;

7. $100,000 to the city of New Hope, Alabama for wastewater system improvements;

8. $850,000 for the Coosa Valley Water Supply District for development of a surface water supply in St. Clair County, Alabama;

9. $175,000 to the West Morgan-East Lawrence Water and Sewer Authority, Alabama for water infrastructure improvements;

10. $175,000 to the City of Lineville, Alabama for purchase and construction of a water tank;

11. $200,000 to Walker County Commission, Alabama for water line extensions in isolated areas;

12. $200,000 to Colbert County, Alabama, for water system improvements;

13. $200,000 to the Utilities Board of the Town of Citronelle, Alabama for water infrastructure improvements;

14. $225,000 to the West Lawrence Water Co-Op of Mount Hope, Alabama for water system infrastructure improvements;

15. $250,000 to Atalla, Alabama, for sewerage system improvements;

16. $300,000 to the Town of Gordo, Alabama for sanitary sewer expansion project;

17. $300,000 to the Guntersville, Alabama, Water and Sewer Board for the Sand Mountain water storage system project;

18. $550,000 to the Waterworks Board for the Towns of Section and Dutton, Alabama for water system improvements;

19. $350,000 to the Town of Berry, Alabama for construction of a wetlands treatment facility;

20. $350,000 to the Chilton Water Authority in Chilton County, Alabama for water infrastructure improvements;

21. $400,000 to Jackson County, Alabama for water system improvements;

22. $400,000 to the West Lauderdale County Water and Fire Protection Authority, Alabama for construction of a water treatment plant;

23. $475,000 to Franklin County, Alabama for water system infrastructure improvements;

24. $500,000 to Hartselle Utilities for wastewater infrastructure improvements in the City of Hartselle, Alabama;

25. $700,000 to Lawrence County, Alabama for construction of a wastewater treatment facility;

26. $850,000 to the Upper Bear Creek Water Treatment Plant in Haleyville, Alabama, for water treatment plant improvement project;

27. $875,000 to the CREMS (Carlisle, Rockledge, Egypt, Mountainboro, and Shady Grove) Water Authority, Alabama for water system infrastructure improvements;

28. $1,000,000 to the City of Florence, Alabama for the rehabilitation of the Canal/Jones Hollow Interceptor sewer lines;

29. $250,000 to be shared equally between the Brent Water and Sewer Board and the Centreville Water and Sewer Board in Bibb County, Alabama for water and wastewater infrastructure improvements;

30. $2,000,000 to the Tom Bevill Reservoir Management Area Authority for construction of a drinking water reservoir in Fayette County, Alabama;

31. $450,000 to the Southwest Alabama Regional Water supply District for regional water supply distribution in Thomasville, Alabama;

32. $100,000 to the Town of Hodges, Alabama for the Hodges water improvement project;

33. $150,000 to the Town of Double Springs, Alabama for water system improvements;

34. $250,000 for Smith's Sewer and Water Authority for sewer system expansion in Smith, Alabama;

35. $100,000 to the Water and Sewer Boards of the Cities of Brent and Centreville for court ordered repairs to the system to mitigate water pollution in Centreville, Alabama;

36. $250,000 to the City of Athens Utilities for commercial sewage extension in Athens, Alabama;

37. $100,000 to the Wilcox County Industrial Authority in Camden, Alabama for water and sewer infrastructure improvements in Wilcox County, Alabama;

38. $150,000 for the Cherokee County Commission for Weiss Lake Area system improvements in Centre, Alabama;

39. $2,000,000 for Anchorage, Alaska for water and sewer upgrades in West Anchorage;

40. $1,500,000 for Fairbanks, Alaska for water system upgrades;

41. $1,000,000 for North Pole, Alaska for water and sewer improvements;

42. $985,000 for Palmer, Alaska for a water main;

43. $768,000 for Sitka, Alaska for Japonski Island water supply improvements;

44. $925,000 for Wasilla, Alaska for water and sewer improvements;

45. $300,000 to the White Mountain Apache Tribe in Arizona to prepare a master plan for drinking water infrastructure on the Fort Apache Indian Reservation;

46. $1,000,000 for the City of Scottsdale, Arizona for the Scottsdale Arsenic Removal Pilot Project;

47. $602,000 for the City of Safford, Arizona, for wastewater treatment plant construction costs;

48. $600,000 to the City of Avondale, Arizona for wastewater infrastructure improvements;

49. $750,000 to the Town of Huachuca, Arizona for the Effluent Recharge Project;

50. $750,000 to the City of Tucson, Arizona for water security infrastructure improvements;

51. $100,000 to the Baxter County Water Facilities Board, Arkansas for water and wastewater infrastructure improvements;

52. $125,000 to the City of Jonesboro, Arkansas for developing drainage plans;

53. $200,000 to the Faulkner County Public Utilities Board, Arkansas for wastewater infrastructure improvements for Lake Conway;

54. $300,000 to the Fort Chaffee Redevelopment Authority, Arkansas for water infrastructure improvements;

55. $650,000 for the Community Water System Public Water Authority of Arkansas in Lonoke and White Counties for the Greers Ferry drinking water project;

56. $650,000 for the City of Fayetteville, Arkansas for wastewater infrastructure improvements;

57. $100,000 to the City of Chino Hills, California for a needs assessment study for 39 improvements to the Los Serranos stormwater drainage system;

58. $110,000 to the City of East Palo Alto, California for the East Palo Alto Master Water Plan including water, wastewater and stormwater infrastructure improvements;

59. $475,000 to the City of Brisbane, California for water and wastewater infrastructure improvements;

60. $200,000 to the City of Colton, California for stormwater infrastructure improvements as part of the Comprehensive 3–5 Storm Drain Plan;

61. $200,000 to the Los Osos Community Services District, California for wastewater infrastructure improvements;

62. $200,000 to the City of Modesto, California for the Ninth Street Corridor Storm Drain project;

63. $200,000 to the City of Norwalk, California for the Norwalk Reservoir Project;

64. $200,000 to the City of Cudahy, California for wastewater infrastructure improvements;

65. $200,000 to the City of Bell, California for wastewater infrastructure improvements;

66. $200,000 to Marin County, California for the Tomales Bay Wastewater Treatment Facility;

67. $250,000 to the City of Long Beach, California for stormwater infrastructure improvements;

68. $450,000 to the City of Westminster, California for a water quality improvement pilot project;

69. $250,000 to the City of Fort Bragg, California for wastewater infrastructure improvements;

70. $250,000 for the City of Gardena, California for wastewater and stormwater infrastructure improvements;

71. $500,000 to the City of Santa Ana, California for the West Pump Station Facility Upgrade project;

72. $300,000 to the City of Murrieta, California for wastewater infrastructure improvements;

73. $300,000 to the City of El Segundo, California for sanitary sewer overflow infrastructure improvements;

74. $300,000 to the City of Santa Monica, California for water infrastructure improvements;

75. $350,000 to the Monterey County Water Resource Agency in California for planning and design of the Salinas Valley Water Project;

76. $350,000 to the City of Roseville, California for water infrastructure improvements;

77. $350,000 to the City of Vallejo, California for infrastructure improvements for the Mare Island Sanitary Sewer and Storm Drain System;

78. $475,000 to the City of Huntington Beach, California for the Alabama Storm Drain project;

79. $400,000 to the Irvine Ranch Water District, California for the San Diego Creek Watershed Natural Treatment System;

80. $400,000 to the County of Ventura, California for implementation of the Calleguas Creek Watershed Management Plan;

81. $400,000 to the United Water Conservation District, California for the River Park Reclamation and Recharge Authority Groundwater Project;

82. $400,000 to the City of Redding, California for water and wastewater infrastructure improvements for the Stillwater Business Park;

83. $400,000 to the City of Victorville, California for water and wastewater infrastructure improvements;

84. $400,000 to the City of Whittier, California for water and wastewater infrastructure improvements;

85. $400,000 to the City of Folsom, California for wastewater infrastructure improvements;

86. $400,000 to the City of Lodi, California for wastewater infrastructure improvements;

87. $500,000 to the City of Fresno, California for a water conveyance project;

88. $650,000 to Placer County, California for wastewater infrastructure improvements;

89. $750,000 to the San Diego Water Authority, California for a water desalination program;

90. $800,000 to the Olivenhain Municipal Water District in Encinitas, California for water infrastructure improvements;

91. $800,000 to the City of Sacramento, California for the Sacramento Combined Sewer System Improvement and Rehabilitation Project;

92. $800,000 to the Castaic Lake Water Agency, California for wastewater infrastructure improvements;

93. $1,100,000 to the Mojave Water Agency, California for the Mojave Desert Arsenic Demonstration project;

94. $1,650,000 to the Cities of Arcadia and Sierra Madre, California for water infrastructure improvements;

95. $1,000,000 for the Orange County Sanitation District, California for a wastewater treatment program;

96. $500,000 to the Mission Springs, California Water District for water infrastructure improvements;

97. $500,000 to the City of San Bernardino, California for the Lakes and Streams project;

98. $1,000,000 for the Santa Clara Valley Water District, California for perchlorate groundwater clean-up;

99. $500,000 for the City of Ukiah, California for wastewater infrastructure improvements;

100. $500,000 for the West Valley Water District, California for the Inland Empire Perchlorate Force Wellhead Treatment;

101. $500,000 for Madera County, California for wastewater infrastructure improvements;

102. $200,000 for Ventura County, California for sewer infrastructure improvements;

103. $1,000,000 to the Town of Rico, Colorado for the construction of a wastewater treatment plant and sewer system;

104. $1,000,000 for the Brownsville Water District, Colorado for the construction of a sanitary sewer collection system and interceptor line;

105. $1,000,000 for the Englewood/Littleton Bi-City Wastewater Treatment Plant, Colorado for wastewater infrastructure improvements;

106. $200,000 to the Town of Prospect, Connecticut for water infrastructure improvements;

107. $550,000 for the Town of Southington, Connecticut for water infrastructure improvements;

108. $500,000 to the City of Stamford, Connecticut for stormwater management improvements for the restoration of the Mill River ecosystem;

109. $900,000 for the Town of East Hampton, Connecticut for water infrastructure improvements;

110. $500,000 for the City of New Britain, Connecticut for drinking water infrastructure improvements;

111. $1,100,000 for the City of Wilmington, Delaware for wastewater infrastructure improvements;

112. $400,000 to the Metropolitan Washington Council of Governments for its Regional Water System Security Enhancement Program;

113. $1,000,000 for the Solid Waste Authority of Palm Beach County, Florida for continued construction of the Tri-County Biosolids Pelletization Facility;

114. $1,000,000 for Key Biscayne, Florida for wastewater infrastructure improvements;

115. $175,000 to the City of Miami Gardens, Florida for drinking water, wastewater, stormwater and sewer infrastructure improvements;

116. $200,000 to Citrus County, Florida for wastewater infrastructure improvements for the Homosassa and Chassahowitzka Water Collection System;

117. $200,000 to the City of Hollywood, Florida for water infrastructure improvements;

118. $200,000 to Palm Beach County, Florida for improvements at the Lake Okeechobee Regional Water Treatment Plant;

119. $200,000 to the Southwest Florida Management District for water and wastewater infrastructure improvements for Weeki Wachee Springs;

120. $300,000 for the Northwest Florida Management District for the Escambia County Utility Authority Water Reclamation Project;

121. $240,000 to the City of Marathon, Florida for water and wastewater infrastructure improvements for the Boot Key Municipal Harbor Development;

122. $300,000 to Orange County, Florida for wastewater infrastructure improvements in Holden Heights;

123. $350,000 to the City of Tampa, Florida for the South Tampa Area Reclaimed Project;

124. $350,000 to St. Johns County, Florida for the Stormwater and Septic Tank Replacement Project;

125. $400,000 to Sarasota County, Florida for the Phillipi Creek Septic Tank Replacement Project;

126. $400,000 to the City of Key West, Florida for stormwater infrastructure improvements;

127. $400,000 to the City of Oakland Park, Florida for the Kimberly Lake Drainage Project;

128. $400,000 to the City of Riviera Beach, Florida for stormwater infrastructure improvements for Lake Worth Lagoon;

129. $400,000 to the Town of Orange Park, Florida for wastewater infrastructure improvements for the St. Johns River;

130. $650,000 to the County of Putnam, Florida for a Regional Water System project;

131. $800,000 to the City of Sweetwater, Florida for stormwater and wastewater infrastructure improvements;

132. $800,000 to the City of Homestead, Florida for water and wastewater infrastructure improvements;

133. $800,000 to the Southwest Florida Water Management District for the Upper Peace River Watershed Restoration Initiative;

134. $2,000,000 for St. Johns Rivers Water Management District, Florida to integrate alternative water supplies in east-central Florida to reduce the regional water supply deficit;

135. $450,000 for St. Johns Rivers Water Management District, Florida for the Northeast Florida Integrated Water Resources Project;

136. $10,000,000 to the Southwest Florida Water Management District for continuation of the Tampa Bay Reservoir Project;

137. $110,000 to the City of Helena, Georgia for water and wastewater infrastructure improvements;

138. $350,000 to the Liberty County Development Authority, Georgia for water and wastewater infrastructure improvements for the Liberty County Coastal Megapark;

139. $400,000 to the City of Roswell, Georgia for the Big Creek Watershed Project;

140. $1,250,000 for the City of Forsyth, Georgia for wastewater infrastructure improvements;

141. $700,000 to the City of Atlanta, Georgia for the West Area Combined Sewer project;

142. $600,000 to Gwinnett County, Georgia for water and wastewater infrastructure improvements for the Liberty Heights revitalization project;

143. $1,100,000 for the Metropolitan North Georgia Water Planning District for water and wastewater infrastructure improvement projects;

144. $1,000,000 to the Metropolitan North Georgia Water Planning District for water and wastewater infrastructure improvements for the City of Atlanta Nancy Creek project;

145. $2,250,000 for Columbus Water Works, Columbus, Georgia for its Biosolids Flow-Through Thermophilic Treatment Demonstration Project;

146. $350,000 to Meriweather County, Georgia for water infrastructure improvements;

147. $300,000 to the Guam Waterworks Authority for water and wastewater infrastructure improvements;

148. $1,000,000 for Oahu County and Kauai County, Hawaii for water infrastructure improvements;

149. $400,000 to the City of Middleton, Idaho for its water and sewer utility extension and regional lift station project;

150. $500,000 to the City of McCammon, Idaho for wastewater system improvements;

151. $900,000 to the City of Jerome, Idaho for extension of sewer lines;

152. $2,000,000 for Shoshone County, Idaho, for Burke Canyon Water and Sewer Improvements;

153. $500,000 for the City of Burley, Idaho, for construction on its Wastewater Treatment System Project;

154. $100,000 to the Village of Carbon Hill, Illinois for water infrastructure improvements;

155. $125,000 to the Village of Romeoville, Illinois for stormwater infrastructure improvements;

156. $200,000 to the Village of Lisbon, Illinois for wastewater infrastructure improvements;

157. $200,000 to the Town of Cortland, Illinois for construction of an elevated water storage tower;

158. $200,000 to the Village of Burlington, Illinois for wastewater infrastructure improvements;

159. $200,000 to the City of Genoa, Illinois for wastewater infrastructure improvements;

160. $250,000 for the Village of Oreana, Illinois for water and wastewater infrastructure improvements;

161. $300,000 to the City of Shelbyville, Illinois for wastewater infrastructure improvements;

162. $300,000 to the City of Breese, Illinois for water infrastructure improvements;

163. $325,000 to the Village of Downs, Illinois for wastewater infrastructure improvements;

164. $350,000 for the City of Delavan, Illinois for the construction of new water service lines and storage tanks;

165. $350,000 for the City of Springfield, Illinois for the replacement of the First Street Sanitary Sewer and stormwater management for Memorial Medical Center;

166. $350,000 to the Lake County Stormwater Management Committee, Illinois for stormwater detention, infrastructure, modeling, design and management activities in the Upper Des Plaines River watershed;

167. $500,000 for Lake County, Illinois for water and wastewater infrastructure improvements;

168. $350,000 to the Village of Johnsburg, Illinois for wastewater infrastructure improvements;

169. $400,000 to the Village of LaGrange Park, Illinois for a water main replacement project;

170. $401,500 for the Village of Washington, Illinois for improvements to the School Street Sewer Interceptor;

171. $500,000 for the City of Virginia, Illinois for the construction of a water treatment facility;

172. $500,000 for the City of Lincoln, Illinois for upgrades for its wastewater treatment plant;

173. $500,000 for the Village of Armington, Illinois for the construction of a sanitary sewer project;

174. $500,000 for the City of Forsyth, Illinois for construction of a new water treatment plant;

175. $500,000 to the Village of Port Barrington, Illinois for wastewater infrastructure improvements;

176. $648,500 for the City of Peoria, Illinois for the installation of sanitary sewer infrastructure in Growth cells 2 and 3;

177. $500,000 for Galesburg Sanitary District, Illinois for wastewater infrastructure improvements;

178. $500,000 for the Village of Franklin Park, Illinois for water and wastewater infrastructure improvements;

179. $500,000 for the City of Galena, Illinois to expand and improve wastewater facilities;

180. $200,000 for the City of Wilmington, Illinois for wastewater infrastructure improvements;

181. $900,000 to the City of Martinsville, Indiana for water supply, water storage, and other water infrastructure improvements;

182. $200,000 to the City of Jeffersonville, Indiana for wastewater infrastructure improvements;

183. $200,000 to the City of Richmond, Indiana for wastewater and stormwater infrastructure improvements;

184. $250,000 to be divided equally between Vanderburgh County and the City of Evansville, Indiana for Pigeon Creek wastewater system improvements;

185. $400,000 to the City of Carmel, Indiana for water and wastewater infrastructure improvements;

186. $1,200,000 to the City of Fort Wayne, Indiana for the Camp Scott Program for water and wastewater infrastructure improvements;

187. $750,000 to Rensselaer, Indiana for wastewater infrastructure improvements;

188. $200,000 for the Delaware County Commissioners, Eaton, Indiana for water system improvements;

189. $200,000 for the City of Elwood, Indiana for sewer infrastructure improvements;

190. $1,700,000 for the City of Sioux City, Iowa for improvements at the Sioux City Regional Wastewater Treatment Facility;

191. $200,000 to the City of Postville, Iowa for wastewater infrastructure improvements;

192. $2,500,000 for the City of Ottumwa, Iowa for the separation of combined sewers;

193. $600,000 for the Mason City Water Treatment Plant in Mason City, Iowa for water infrastructure improvements;

194. $200,000 for the City of Carroll, Iowa for wastewater infrastructure improvements;

195. $2,000,000 for the City of Hutchinson, Kansas for groundwater remediation;

196. $1,250,000 for the City of Roeland Park, Kansas for stormwater infrastructure improvements;

197. $450,000 to the City of Newton, Kansas for wastewater infrastructure improvements;

198. $500,000 to the City of Frankfort, Kentucky for the Schenkel Lane Sewer Replacement project;

199. $200,000 to Grant County, Kentucky for the Grant County/Bullock Pen Waterline Extension project;

200. $200,000 to the City of Wickliffe, Kentucky for wastewater infrastructure improvements;

201. $500,000 to the Boyle County Fiscal Court, Kentucky for wastewater infrastructure improvements;

202. $350,000 to the City of Whitesburg, Kentucky for wastewater infrastructure improvements;

203. $480,000 to the City of Mt. Vernon, Kentucky for wastewater infrastructure improvements;

204. $800,000 to Martin County, Kentucky for wastewater infrastructure improvements and extension of wastewater lines;

205. $1,000,000 for the Louisville/Jefferson County Metropolitan Sewer District, Kentucky to construct a wet weather storage basin to control sewer overflows;

206. $500,000 to the South Woodford Water District in Woodford County, Kentucky, for the South Woodford Water District System Improvement Project;

207. $500,000 to the Hardin County Water District No. 2 in Hardin County, Kentucky, for the Elizabethtown Loop Project;

208. $2,000,000 to the Intermodal Transportation Authority in Bowling Green, Kentucky, for Kentucky TriModal Transpark Water and Sewer Improvements;

209. $1,000,000 for Sanitation District Number One in Kentucky for water infrastructure improvements;

210. $700,000 for the Ohio County Regional Wastewater District, Kentucky for wastewater infrastructure improvements;

211. $300,000 for the State of Kentucky for water infrastructure improvements in Union County;

212. $200,000 to the City of Denham Springs, Louisiana for wastewater infrastructure improvements;

213. $300,000 to the Military Department of Louisiana for wastewater infrastructure improvements at the Gillis W. Long Center in St. Gabriel, Louisiana;

214. $400,000 to the City of New Orleans, Louisiana for wastewater infrastructure improvements;

215. $800,000 to the City of Shreveport, Louisiana for the installation of backflow preventers within the water distribution system;

216. $800,000 to the South Central Planning and Development Commission, Louisiana for water and wastewater infrastructure improvements;

217. $1,000,000 for the City of Baton Rouge, Louisiana for water infrastructure improvements;

218. $750,000 for the City of Monroe, Louisiana for wastewater infrastructure improvements;

219. $750,000 for the Town of Gramercy, Louisiana for drinking water infrastructure improvements;

220. $700,000 for the City of St. Martinville, Louisiana for wastewater infrastructure improvements;

221. $500,000 for the City of Gardiner, Maine for sewer infrastructure improvements;

222. $250,000 for the Town of Machias, Maine for wastewater infrastructure improvements;

223. $250,000 for Indian Township, Maine for improvements to wastewater facilities;

224. $300,000 to the Sanford Sewer District, Maine for wastewater infrastructure improvements;

225. $1,000,000 for the Town of Westernport, Maryland for sewer infrastructure improvements;

226. $500,000 for Chestertown, Maryland for water infrastructure improvements;

227. $500,000 for the Town of Delmar, Maryland for water infrastructure improvements;

228. $500,000 to the City of Crisfield, Maryland for water infrastructure improvements and construction of biological nutrient removal facilities;

229. $500,000 for the Town of Hurlock, Maryland for water infrastructure improvements;

230. $500,000 for nutrient control at wastewater treatment plants on the Pocomoke River in Maryland;

231. $1,000,000 for Harford County, Maryland for the Oaklyn Manor Project;

232. $500,000 for the Maryland Department of Natural Resources for water quality restoration projects on the Stoney Run and Dorsey Run in Howard and Anne Arundel Counties, Maryland;

233. $200,000 to the Town of Elkton, Maryland for construction of biological nutrient removal facilities;

234. $350,000 to the City of Cambridge, Maryland for combined sewer overflow infrastructure improvements;

235. $400,000 to the Washington Suburban Sanitary Commission for wastewater disinfection system upgrades for Montgomery and Prince George's Counties, Maryland;

236. $200,000 to the Boston Groundwater Trust of Massachusetts for its groundwater initiative;

237. $450,000 to the City of Brockton, Massachusetts for wastewater infrastructure improvements at the Brockton Wastewater Treatment Facility;

238. $200,000 for wastewater infrastructure improvement projects in Essex County, Massachusetts;

239. $250,000 to the City of Lowell, Massachusetts for combined sewer overflow infrastructure improvements;

240. $1,100,000 for the Cities of New Bedford and Fall River, Massachusetts for combined sewer overflow mitigation in Bristol County;

241. $500,000 to the Pioneer Valley Planning Commission for sewage pollution control projects along the Connecticut River in Massachusetts and Connecticut;

242. $200,000 to the Saginaw Chippewa Tribe of Michigan for the Saginaw Chippewa Water Main Extension Project;

243. $1,000,000 for the Huron Regional Water Authority in Michigan for water infrastructure improvements;

244. $250,000 to the Grand Traverse County Board of Public Works, Water and Sewer Committee, Michigan for wastewater infrastructure improvements;

245. $300,000 to the City of Negaunee, Michigan for wastewater infrastructure improvements;

246. $725,000 for Genesee County Drain Commission, Michigan for the North-East Relief Sewer and Kearsley Creek Interceptor project;

247. $400,000 to the City of Detroit, Michigan for wastewater infrastructure improvements at the Belle Isle Sewerage Pumping Station and Combined Sewer Overflow Facility;

248. $750,000 to the City of Grand Rapids, Michigan for combined sewer overflow infrastructure improvements;

249. $1,000,000 to Wayne County, Michigan for continuation of the Rouge River National Wet Weather Demonstration Project;

250. $1,375,000 for the Oakland County Drain Commission to address sanitary sewer overflows in Evergreen Farmington, Michigan;

251. $1,000,000 for the City of Benton Harbor, Michigan for water infrastructure improvements;

252. $400,000 for Crystal Falls Township, Michigan for water infrastructure improvements;

253. $1,000,000 for the City of Saginaw, Michigan for sewer infrastructure improvements;

254. $1,050,000 to the Mille Lacs Band of Ojibwe located on the Mille Lacs Indian Reservation, as established in the Treaty of 1855, 10 Stat. 1165 for construction of the Mille Lacs Regional Wastewater Treatment Facility in Minnesota;

255. $500,000 for the City of Moorhead, Minnesota for water infrastructure improvements;

256. $300,000 to the City of Roseau, Minnesota for water and wastewater infrastructure improvements;

257. $750,000 to the City of Minneapolis, Minnesota for combined sewer overflow infrastructure improvements;

258. $450,000 for the City of Pascagoula, Mississippi for stormwater and wastewater infrastructure improvements;

259. $1,000,000 for the City of Forest, Mississippi for water infrastructure improvements;

260. $200,000 for the City of Gulfport, Mississippi for wastewater infrastructure improvements;

261. $1,000,000 for the West Rankin Metropolitan Water and Sewer Authority, Rankin County, Mississippi for water infrastructure improvements;

262. $500,000 for Tchula, Mississippi for wastewater infrastructure improvements;

263. $500,000 for the City of Meridian, Mississippi for wastewater infrastructure improvements;

264. $500,000 for the City of Jackson, Mississippi for wastewater system improvements;

265. $400,000 to Franklin County, Mississippi for water and wastewater infrastructure improvements for the Okissa Lake Community development;

266. $620,000 to the Town of Farmington, Mississippi for wastewater infrastructure improvements;

267. $1,500,000 for Joplin, Missouri for the Shoal Creek Pretreatment facility and Silver Creek parallel relief;

268. $1,000,000 for Joplin, Missouri for the Jasper County Crossroads Relief Sewer No. 1 Phase Two;

269. $1,000,000 for the City of St. Joseph, Missouri for sewer infrastructure improvements;

270. $750,000 for Monroe City, Missouri for water main replacement and water line extension;

271. $1,000,000 for the Cities of Peculiar and Raymore, Missouri for the Cass County Watershed Expansion Project;

272. $700,000 for the City of Pacific, Missouri for water and sewer infrastructure improvements;

273. $750,000 for Northwest Missouri Regional Council of Governments for regional drinking water projects;

274. $750,000 for the City of Lebanon, Missouri for sewer infrastructure improvements;

275. $400,000 for Wright City, Missouri for the construction of an elevated water storage tank;

276. $150,000 for Steelville, Missouri for completion of its water service project, well and water storage tank;

277. $500,000 to the City of St. Louis Department of Public Utilities Water Division for the Columbia Bottoms Wellfield Development Project in St. Louis, Missouri;

278. $175,000 to the City of Belton, Missouri for stormwater and wastewater infrastructure improvements;

279. $300,000 to the Duckett Creek Sanitary District for the design, permitting and construction of wastewater treatment facilities, sanitary sewers, and other related work as necessary to document the impact of these facilities in St. Charles County, Missouri;

280. $350,000 to the City of Springfield, Missouri for feasibility studies, preliminary and final designs and for stormwater infrastructure improvements for the Upper James River;

281. $300,000 for the City of Helena, Montana for Phase 1 of Helena's Missouri River Water Treatment Plant reconstruction;

282. $1,000,000 for the Missouri River Water Project, Helena, Montana for a water treatment project;

283. $600,000 for the City of Kalispell, Montana for water treatment improvements;

284. $500,000 for the City of Missoula, Montana for the Rattlesnake Water Project;

285. $350,000 for the City of Red Lodge, Montana for a water treatment facility;

286. $350,000 for the City of Manhattan, Montana for a water treatment facility;

287. $300,000 for the City of Wisdom, Montana for water infrastructure improvements;

288. $400,000 for the City of Hamilton, Montana for water infrastructure improvements;

289. $1,275,000 to the City of Omaha, Nebraska for wastewater infrastructure improvements and combined sewer overflow separation systems;

290. $375,000 for the City of Lincoln, Nebraska for the construction of combined sewer separation systems;

291. $400,000 to the City of South Sioux City, Nebraska for the Bi-State Missouri River Sewer Crossing project between Nebraska and Iowa;

292. $175,000 to the City of Henderson, Nevada for water and wastewater infrastructure improvements;

293. $100,000 for the Town of Hawthorne, Nevada for sewer infrastructure improvements;

294. $1,600,000 for the Virgin Valley Water District, Nevada for drinking water infrastructure improvements;

295. $1,000,000 for Washoe County, Nevada for the North Lemmon Valley Artificial Recharge Project;

296. $600,000 for Clark County, Nevada for water infrastructure improvements;

297. $500,000 for the City of Berlin, New Hampshire, for the Berlin Waterworks water distribution system improvements;

298. $500,000 for the Town of Colebrook, New Hampshire for drinking water infrastructure improvements;

299. $300,000 for the Town of Rollingsford, New Hampshire for wastewater treatment improvements;

300. $350,000 for the Town of Jaffrey, New Hampshire for wastewater treatment improvements;

301. $900,000 for the City of Nashua, New Hampshire for drinking water and combined sewer overflow infrastructure improvements;

302. $500,000 for the City of Manchester, New Hampshire for the Phase 1 Combined Sewer Overflow Abatement project;

303. $350,000 for the City of Rochester Waterworks, New Hampshire for the extension of Rochester, New Hampshire sewer line;

304. $400,000 to the State of New Jersey, New Jersey Meadowlands Commission for wetlands restoration;

305. $500,000 to the Passaic Valley Sewerage Commission in New Jersey for its combined sewage overflow reduction program and the Passaic River/Newark Bay Restoration program;

306. $800,000 to the Township of Jefferson, New Jersey for wastewater infrastructure improvements to help protect water quality of Lake Hopatcong;

307. $1,000,000 for the City of Camden, New Jersey for the Von Neida Park Wastewater Management project;

308. $700,000 for Rockland County in New York, for the Western Ramapo Sewer Extension project;

309. $300,000 for the City of Gallup, New Mexico for wastewater infrastructure improvements;

310. $2,000,000 for the Valley Utilities Project in the City of Albuquerque and Bemalillo County, New Mexico;

311. $1,000,000 for the City of Española, New Mexico, for water and wastewater system improvements;

312. $1,000,000 for the City of Los Lunas, New Mexico, for the interceptor sewer line project;

313. $125,000 to the Dona Ana Mutual Domestic Water Consumers Association for wastewater management and treatment infrastructure improvements in northern Dona Ana County, New Mexico;

314. $300,000 to the City of Elephant Butte, New Mexico for wastewater infrastructure improvements in North Sierra County;

315. $600,000 to Bernalillo County, New Mexico for water and wastewater infrastructure improvements for South and North Valley;

316. $250,000 for the City of Oswego, New York for water infrastructure improvements;

317. $250,000 for the City of Corning, New York for a reservoir project;

318. $113,000 to the Village of Pelham, New York for sanitary sewer and storm water infrastructure improvement project;

319. $125,000 to the Town of Chester, New York for water infrastructure improvements;

320. $200,000 to the Town of Sennett, New York for water infrastructure improvements;

321. $200,000 to the Town of Bethel, New York for wastewater infrastructure improvements;

322. $200,000 to the Village of Endicott, New York for wastewater infrastructure improvements;

323. $200,000 to the Town of Babylon, New York for wastewater infrastructure improvements;

324. $250,000 to the Town of Grand Island, New York for wastewater and combined sewer overflow infrastructure improvements;

325. $325,000 to Fulton County, New York for water and wastewater infrastructure improvements;

326. $400,000 for the Town of North Hempstead, New York for stormwater management infrastructure improvements;

327. $400,000 to the County of Rockland, New York for the Western Ramapo Sewer Extension and Water Reuse project;

328. $400,000 to the City of Dunkirk, New York for wastewater infrastructure improvements;

329. $400,000 to the City of Hamburg, New York for wastewater infrastructure improvements;

330. $400,000 to the Town of Greece, New York for sanitary sewer overflow infrastructure improvements;

331. $1,500,000 to the Cayuga County Water and Sewer Authority for wastewater infrastructure improvements for the Village of Fair Haven, New York;

332. $250,000 to the Rivers and Estuaries Center on the Hudson in New York for facilities construction;

333. $230,000 to the Wayne County Water and Sewer Authority for sanitary sewer overflow improvements for the Town of Palmyra, New York;

334. $200,000 to Onondaga County, New York for sewage treatment plant improvements for the Village of Jordan;

335. $2,000,000 to the Saratoga Water Committee in Saratoga County, New York for construction of a drinking water transport pipeline;

336. $1,400,000 for the Village of Lake Placid, New York for water and wastewater infrastructure improvements;

337. $500,000 to the Town of North Castle, New York for water infrastructure improvements for the Quarry Heights District;

338. $600,000 to the Wayne County Water and Sewer Authority for construction of a waterline in the Towns of Sodus and Huron, New York;

339. $3,000,000 to the City of Syracuse, New York for Westcott Reservoir for drinking water infrastructure improvements;

340. $5,000,000 for drinking water infrastructure needs in the New York City Watershed;

341. $5,000,000 for water quality infrastructure improvements for Long Island Sound, New York;

342. $12,300,000 for continued clean water improvements for Onondaga Lake, New York;

343. $110,000 to the Town of Erwin, North Carolina to enhance its water and wastewater infrastructure through the renovation and repair of treatment facilities at the former Swift Denim textile plant;

344. $200,000 to the City of Shelby, North Carolina for wastewater infrastructure improvements;

345. $1,000,000 for the Neuse Regional Water and Sewer Authority for water infrastructure improvements for Lenoir County, North Carolina;

346. $400,000 to the City of Creedmoor, North Carolina for water quality and infrastructure improvements for Lake Rogers;

347. $200,000 to the Town of Bryson City, North Carolina for wastewater infrastructure improvements;

348. $250,000 to the Town of Hillsborough, North Carolina for wastewater system maintenance and upgrades;

349. $550,000 to the City of Durham, North Carolina for water security improvements;

350. $250,000 to the City of Cherryville, North Carolina for renovation of the Sunbeam Industrial Park Water Tank and Water Line;

351. $250,000 to Hoke County, North Carolina for water and wastewater infrastructure improvements;

352. $150,000 to the City of Belmont, North Carolina for wastewater infrastructure improvements;

353. $75,000 to the City of Bessemer City, North Carolina for water and wastewater infrastructure improvements;

354. $75,000 to the City of Stanley, North Carolina for water and wastewater infrastructure improvements;

355. $400,000 to the City of Marion, North Carolina for water and wastewater infrastructure improvements;

356. $750,000 to the Town of Holly Springs, North Carolina for water and wastewater infrastructure improvements according to the Master Water Reuse Plan;

357. $150,000 to Richmond County, North Carolina for water and wastewater infrastructure improvements

358. $550,000 for the City of Devils Lake, North Dakota for water infrastructure improvements;

359. $900,000 for the City of Grafton, North Dakota for the Grafton Water Treatment Plant;

360. $200,000 for the City of Park River, North Dakota for water infrastructure improvements;

361. $550,000 for the City of Riverdale, North Dakota for the Riverdale Regional Water Treatment Facility;

362. $300,000 for Dickey Rural Water Users Association in Southeast, North Dakota for the Southeast Regional Expansion Project;

363. $300,000 to the Village of Haskins, Ohio for wastewater infrastructure improvements;

364. $350,000 to the Village of New Riegel, Ohio for wastewater infrastructure improvements;

365. $350,000 to the City of Gallon, Ohio for the Galion Bio-Solids Handling Replacement Project;

366. $400,000 to the Northeast Ohio Regional Sewer District for the Doan Brook Pollution Abatement Project;

367. $700,000 to the City of Ashland, Ohio for water infrastructure improvements;

368. $500,000 for the Village of Somerset, Perry County, Ohio to rehabilitate its existing water treatment plant;

369. $500,000 to the City of Kirtland, Ohio for water and wastewater infrastructure improvements;

370. $600,000 to the City of Vermilion, Ohio for wastewater infrastructure improvements and sanitary sewer rehabilitations;

371. $1,650,000 to Guernsey County, Ohio for a water line extension project in Eastern Guernsey County;

372. $800,000 for Springfield, Ohio for the establishment of water and sewer infrastructure in preparation for and economic development project;

373. $800,000 to the Metropolitan Sewer District of Greater Cincinnati, Ohio for sanitary sewer overflow infrastructure improvements;

374. $1,750,000 for the City of Delphos, Ohio to construct a reservoir, surface water treatment plant, associated piping;

375. $900,000 to the City of Urbana, Ohio for construction of a new well field;

376. $1,000,000 to the City of Toledo, Ohio for wet weather flow and wastewater infrastructure improvements;

377. $1,200,000 to the City of Amherst, Ohio for wastewater treatment plant improvements;

378. $1,200,000 to the City of Port Clinton, Ohio for wastewater treatment plant improvements;

379. $2,000,000 for Shawnee Hills subdivision of Greene County, Ohio for a central sewer system;

380. $300,000 to the Village of Millersburg, Ohio to upgrade the Millersburg Wastewater Treatment Plant;

381. $900,000 to the City of Van Wert, Ohio to increase the size of the drinking water reservoir;

382. $500,000 to Fulton County, Ohio to prevent landfill leachate flows into surface water by improving the cap and leachate collection system at the Fulton County Landfill;

383. $200,000 to the City of Midwest City, Oklahoma for water infrastructure improvements;

384. $200,000 to the City of Norman, Oklahoma for wastewater infrastructure improvements;

385. $200,000 to the City of Seminole, Oklahoma for water and wastewater infrastructure improvements;

386. $325,000 to the Town of Arcadia, Oklahoma for water supply and wastewater handling systems upgrades;

387. $325,000 to the City of Choctaw, Oklahoma for wastewater infrastructure improvements;

388. $1,500,000 for the City of Lawton, Oklahoma for the Southwest Water Treatment Plant;

389. $950,000 for the City of Warrenton, Oregon for wastewater infrastructure improvements;

390. $500,000 for the City of Irrigon, Oregon for water infrastructure improvements;

391. $200,000 to the City of Wilsonville, Oregon for the installation of a rain and stormwater management system for the Villebois project;

392. $200,000 to Tillamook County, Oregon for wastewater infrastructure improvements including construction of an animal waste composting facility;

393. $100,000 for the City of Albany, Oregon for the Albany-Millersburg Joint Water Project;

394. $250,000 to the Odell Sanitary District, Oregon for wastewater infrastructure improvements;

395. $900,000 for the City of Portland, Oregon for its wet weather demonstration project;

396. $125,000 to Paint Borough, Pennsylvania for stormwater and sanitary sewer infrastructure improvements;

397. $200,000 to Cheltenham Township, Pennsylvania for water and wastewater infrastructure improvements;

398. $200,000 to Downingtown Borough, Pennsylvania for wastewater infrastructure improvements;

399. $450,000 to Lycoming County, Pennsylvania for water infrastructure improvements for the Jersey Shore Borough;

400. $200,000 to the Borough of Avondale, Pennsylvania for wastewater infrastructure improvements;

401. $100,000 to Springettsbury Township, Pennsylvania for a Biosolids Treatment Facility Replacement project;

402. $250,000 to the York City Sewer Authority, Pennsylvania for infiltration and inflow removal infrastructure improvements;

403. $200,000 to the Matamoras Municipal Authority of the Borough of Matamoras, Pike County, Pennsylvania for water infrastructure improvements;

404. $250,000 to the Somerset County Redevelopment Authority, Pennsylvania for water and wastewater infrastructure improvements for development of the Windber Business Park;

405. $275,000 for Forward Township, Pennsylvania for the Gallatin-Sunnyside Area Sewer Project;

406. $300,000 to the City of Harrisburg, Pennsylvania for the Mish Run Sewer Improvement Project;

407. $300,000 to the Hanover Township Sewage Authority, Pennsylvania for extension of sewer lines for Starpoint Business and Industrial Park;

408. $625,000 to the City of Lancaster, Pennsylvania for water infrastructure improvements;

409. $400,000 to the City of Philadelphia, Pennsylvania Water Department for the planning, design, and construction of stormwater management solutions;

410. $400,000 for the Wyoming Valley Sanitation Authority, Pennsylvania for combined sewer overflow infrastructure improvements;

411. $400,000 to the Kulpmont-Marion Heights Joint Municipal Authority, Northumberland County, Pennsylvania for wastewater infrastructure improvements;

412. $600,000 to the Borough of Coudersport, Pennsylvania for water and wastewater infrastructure improvements;

413. $3,200,000 for the Three Rivers Wet Weather Demonstration program to develop innovative, cost-effective solutions to assist municipalities to eliminate sewer overflows in Allegheny County, Pennsylvania;

414. $750,000 to the Cambria Somerset Authority for the Quemahoning Reservoir water supply project to provide water to communities in Somerset and Cambria Counties, Pennsylvania;

415. $250,000 to the Summit Township Sewer Authority for a public sanitary sewer system extension in Erie County, Pennsylvania;

416. $250,000 to Tuscarora Township for East Waterford sanitary sewer system upgrades in Juniata County, Pennsylvania;

417. $200,000 to Newport Borough Water Authority for a river filtration system and distribution line replacement in Perry County, Pennsylvania;

418. $350,000 for the Municipality of Penn Hills, Pennsylvania for sewer infrastructure improvements;

419. $150,000 for the Mid-Cameron Authority for wastewater treatment plant upgrades in Emporium Borough and Shippen Township, Pennsylvania;

420. $150,000 for Laporte Borough for the waterline replacement project in Sullivan County, Pennsylvania;

421. $200,000 for Granville Township for wastewater transfer station improvements in Mifflin County, Pennsylvania;

422. $150,000 for Mercer County Regional Council of Governments for the Shenango Valley Joint Sewer/Water Infrastructure Project in Mercer County, Pennsylvania;

423. $1,650,000 to the Municipality of Barceloneta, Puerto Rico for water infrastructure improvements in the Palenque and Garrochales communities;

424. $175,000 to the Town of Lincoln, Rhode Island for water and wastewater infrastructure improvements;

425. $175,000 to the Town of North Providence, Rhode Island for wastewater and stormwater infrastructure improvements;

426. $1,450,000 for the Narragansett Bay Commission of Rhode Island for combined sewer overflow infrastructure improvements;

427. $500,000 for the Pascoag Utility District, Rhode Island for water infrastructure improvements;

428. $440,000 for the City of Providence, Rhode Island for water infrastructure improvements;

429. $500,000 for the Town of Jamestown, Rhode Island for water infrastructure improvements;

430. $500,000 for the Pawtucket Water Supply Board, Rhode Island for the renovation of Central Falls Pipe;

431. $100,000 for the Prudence Island Water Utility, Rhode Island for water infrastructure improvements;

432. $850,000 for East Providence, Rhode Island for water infrastructure improvements;

433. $175,000 to the City of Greenville, South Carolina for water and wastewater infrastructure improvements;

434. $250,000 to the Town of Estill, South Carolina for water infrastructure improvements;

435. $300,000 to Calhoun County, South Carolina for water infrastructure improvements for the Fort Motte Water System;

436. $300,000 to the Alligator Rural Water Company for water infrastructure improvements in Chesterfield County, South Carolina;

437. $1,400,000 for the Charleston Commissioners of Public Works, South Carolina for wastewater infrastructure improvements;

438. $400,000 to the Myrtle Beach Downtown Redevelopment Corporation, South Carolina for stormwater infrastructure improvements according to the Pavilion Area Master Plan;

439. $250,000 to Kershaw County, South Carolina for water and wastewater infrastructure development for an industrial park;

440. $1,200,000 for the Town of Ravenel, South Carolina for construction of a main sewer transmission line along U.S. Hwy 17;

441. $1,000,000 for the City of Corsica, South Dakota for water infrastructure improvements;

442. $1,000,000 for the City of Lennox, South Dakota for water infrastructure improvements;

443. $200,000 for the City of Sisseton, South Dakota for water infrastructure improvements;

444. $1,000,000 for the City of Hartford, South Dakota for drinking water infrastructure improvements;

445. $100,000 for the City of DeSmet, South Dakota for water infrastructure improvements;

446. $250,000 to Meigs County, Tennessee for extension of water lines;

447. $500,000 to the City of Decatur, Tennessee for water infrastructure improvements;

448. $600,000 for the City of Jackson, Tennessee for the Sandy Creek Sanitary Sewer Overflow Project;

449. $300,000 to the City of Tesculum, Tennessee for wastewater infrastructure improvements;

450. $1,400,000 for the City of Newport, Tennessee for the Newport Utility District to expand drinking water services and improve wastewater treatment;

451. $200,000 to Harris County, Texas Precinct 2 for water quality planning and design to provide water and wastewater infrastructure improvements;

452. $200,000 to the El Paso Water Utilities, Texas for water infrastructure improvements;

453. $2,150,000 to the City of Austin, Texas for sanitary sewer overflow mitigation and infrastructure improvements;

454. $1,300,000 San Antonio Water Systems, San Antonio, Texas for Brooks City-Base water infrastructure improvements;

455. $350,000 to the City of Leonard, Texas for wastewater infrastructure improvements;

456. $400,000 to the Texas Water Development Board for the Texas Water Desalination Initiative in Freeport, Texas;

457. $400,000 to the City of Waco, Texas for the Waco-McLennan County Regional Water project;

458. $500,000 to the Brazos River Authority for water infrastructure improvements in West Fort Bend County, Texas;

459. $200,000 to the City of Goldthwaite, Texas for drinking water needs;

460. $600,000 for Daggett County, Utah for the Dutch John Water and Wastewater Infrastructure Improvements;

461. $500,000 for the City of Riverton, Utah for water infrastructure improvements;

462. $650,000 for Iron County, Utah for wastewater infrastructure improvements;

463. $250,000 for the Jordan Valley Water Conservancy District, Utah for a groundwater extraction and treatment remedial project;

464. $900,000 for Park City, Utah for water infrastructure improvements associated with the Spiro and Judge Water Tunnels;

465. $675,000 for Sandy City, Utah for water and stormwater infrastructure improvements;

466. $500,000 for the City of Orem, Utah for water infrastructure improvements;

467. $1,000,000 for the Town of Waitsfield, Vermont for water and wastewater infrastructure improvements;

468. $1,500,000 for the Champlain Water District, Vermont, for Chittenden County stormwater infrastructure improvements;

469. $125,000 for the Phoebe Needles System in Franklin County Virginia for a secondary sewage treatment system;

470. $150,000 to the Town of Chatham, Virginia for water and wastewater infrastructure improvements;

471. $250,000 for the Prentis Park Water and Sewer Rehabilitation project in Portsmouth, Virginia;

472. $400,000 to Chesterfield County, Virginia for drainage and wastewater infrastructure improvements for Rayon Park;

473. $400,000 to be divided equally between the City of Alexandria, Virginia and Arlington County, Virginia for water quality improvements in the Four Mile Run watershed;

474. $440,000 for Henry County and the City of Martinsville, Virginia for a wastewater treatment plant upgrade and the conversion of two wastewater plants to pumping stations;

475. $500,000 for the Piney River Wastewater Improvement Project in Nelson County, Virginia;

476. $500,000 for Fluvanna County, Virginia for water and sewer projects;

477. $500,000 for the Town of Kenbridge, Virginia for the expansion of a wastewater treatment plant;

478. $785,000 for Franklin County, Virginia for a drinking water infrastructure project;

479. $800,000 to the City of Richmond, Virginia for combined sewer overflow infrastructure improvements;

480. $1,000,000 to be divided equally between Appomattox County and the Town of Appomattox, Virginia for water and sewer projects;

481. $1,200,000 to Dale Service Corporation wastewater infrastructure improvements in Dale City, Virginia;

482. $750,000 for the Fairfax County Water Authority, Virginia for water infrastructure security improvements

483. $300,000 for Fairfax County, Virginia for wastewater infrastructure improvements;

484. $400,000 for the City of Norfolk, Virginia for the Prentis Park Water and Sewer Rehabilitation;

485. $300,000 for the City of Lynchburg, Virginia for combined sewer overflow controls;

486. $350,000 to the Government of the Virgin Islands for wastewater treatment infrastructure improvements;

487. $200,000 to the City of Tacoma, Washington for water and stormwater infrastructure improvements for the Salishan housing development;

488. $200,000 to the City of Grand Coulee, Washington for water infrastructure improvements;

489. $750,000 for the Skagit Public Utility District, Washington for sewer improvements for Similk Beach;

490. $200,000 to the City of Seattle, Washington for the High Point Natural Drainage System project;

491. $500,000 for the City of Lakewood, Washington for wastewater infrastructure improvements;

492. $400,000 to the City of Carnation, Washington for wastewater infrastructure improvements;

493. $400,000 to the City of Duvall, Washington for wastewater infrastructure improvements;

494. $600,000 to the City of Shelton, Washington for water and wastewater infrastructure improvements;

495. $100,000 to the Town of Ione, Washington for water infrastructure improvements;

496. $1,000,000 for the City of Sunnyside, Washington for wastewater infrastructure improvements;

497. $450,000 for the Vashon Sewer District, Washington for wastewater infrastructure improvements;

498. $380,000 to the City of Moundsville Sanitary Department in West Virginia for storm sewer and sanitary improvements on Jefferson Avenue;

499. $671,000 to the City of Petersburg, West Virginia for water and wastewater infrastructure improvements;

500. $750,000 to the Town of Harrisville, West Virginia for water and wastewater infrastructure improvements;

501. $750,000 to the Mineral County Commission in Mineral County, West Virginia for sewer system design and construction;

502. $824,000 to the City of Philippi, West Virginia for water and wastewater infrastructure improvements;

503. $875,000 to the Marshall County Sewerage District in West Virginia for water and wastewater infrastructure improvements;

504. $1,617,000 to the Gilmer County Public Service District in West Virginia for water and wastewater infrastructure improvements;

505. $2,000,000 to the Sun Valley Public Service District in West Virginia for water and wastewater infrastructure improvements;

506. $5,000,000 to the City of Parkersburg, West Virginia for water and wastewater infrastructure improvements.

507. $2,000,000 to the Milwaukee Metropolitan Sewerage District, Wisconsin for its Central Metropolitan Interceptor System project;

508. $500,000 for the City of Racine, Wisconsin for water infrastructure improvements.

509. $1,800,000 to the City of Chipewa Falls, Wisconsin for sewer and water infrastrructure enhancements;

510. $2,150,000 to the Village of Port Edwards, Wisconsin for replacement of a sewage treatment plant.

ADMINISTRATIVE PROVISIONS

The conferees have again this year included an administrative provision giving the Administrator specific authority to, in the absence of an acceptable tribal program, award cooperative agreements to federally recognized Indian Tribes or Intertribal consortia so as to properly carry out EPA's environmental programs.

The conference agreement does not include a provision, as proposed by the House, extending for one year the collection of $21,500,000 in maintenance fees. Nor does the conference agreement include prohibitions on the collection of pesticide registration and tolerance fees, as proposed by the House. Instead, the conference agreement includes a provision, as proposed by the Senate, which provides for the collection of certain pesticides fees through fiscal year 2008 (see title V).

The conferees have included a new provision proposed by the Senate which, for fiscal year 2004, extends the eligibility of brownfield grant recipients to those who purchased properties prior to the enactment of the Small Business Liability Relief and Brownfield Revitalization Act of 2001. The conferees have not included a provision that would permit the use of certain brownfield grant funds for administrative costs, as the Senate had proposed.

The conferees have not included a provision, as proposed by the Senate, that clarifies an existing exemption in the Clean Air Act concerning state regulations of engines under 50 horsepower.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Appropriates $7,027,000 as proposed by the House and the Senate.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

Appropriates $3,238,000 as proposed by the House and the Senate.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

Appropriates $30,125,000 for the Office of Inspector General, as proposed by the House instead of $30,848,000 as proposed by the Senate. Funds for this account are derived from the Bank Insurance Fund, the Savings and Loan Insurance Fund, and the FSLIC Resolution Fund and are therefore not reflected in either the budget authority or budget outlay totals.

GENERAL SERVICES ADMINISTRATION

FEDERAL CITIZEN INFORMATION CENTER FUND

Appropriates $14,000,000 as proposed by the Senate instead of $12,500,000 as proposed by the House. Provides limitation of $21,000,000 on availability of the Fund as proposed by the Senate instead of $18,000,000 as proposed by the House. Funds in excess of this amount are available for expenditure only as authorized in future appropriations Acts.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

Appropriates $1,500,000 for the United States Interagency Council on Homelessness as proposed by the Senate. The House had included the same amount of funding for this activity under its prior name, Interagency Council on the Homeless.

The conferees expect HUD to continue providing administrative support on a reimbursable basis to the Council.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Of the amounts approved by the conferees in this agreement, NASA must limit reprogramming of funds between programs and activities to not more than $500,000 without prior notification to the Committees on Appropriations of the House and Senate. Any activity or program cited in this report shall be construed as the position of the conferees and should not be subject to reductions or reprogramming without prior approval. The conferees agree with the Senate directive that NASA include the outyear budget impacts of all reprogramming requests, including the outyear budget impact of all missions in the annual operating plan. The conferees direct NASA to identify, in the initial operating plan and all subsequent revisions, all Space Shuttle Return to Flight costs and purposes, the anticipated budget runout of the Return to Flight actions, and the funding sources being used to pay for the Return to Flight costs. The operating plan and all subsequent changes to the plan shall include a separate accounting of all program/mission reserves.

The conferees agree with the House direction that NASA is to provide no less than $2,000,000 to demonstrate encryption technology as part of its cyber-security architecture. This demonstration should be conducted in cooperation with the NASA Inspector General. NASA is to report to the Committees on Appropriations

of the House and Senate within 90 days on its plan to conduct this demonstration and is directed to convey the results of the demonstration upon its completion.

The conferees agree with the Senate directive for NASA to provide a comprehensive plan that will respond to the Columbia Accident Investigation Board report as well as address other staffing, systemic and program shortcomings in NASA programs. The plan should include an assessment of any proposed investments that NASA considers critical to the reform of the agency and the success of its missions. The conferees expect the plan to include a 10-year funding profile for implementing the proposed reforms with benchmarks that are designed to ensure a safe return to flight. The conferees direct NASA to provide the report to the Committees on Appropriations of the House and Senate no later than January 15, 2004.

The conferees agree with the Senate direction for a report on the risks associated with illegal transfer or theft of sensitive technologies. The conferees direct NASA and the NASA Inspector General to work together and report annually on these issues, including an assessment of risk.

The conferees agree that program delays often result in large cost increases that are increasingly difficult to justify and that NASA should have as a priority a desire to reduce these costs. Therefore, the conferees direct NASA to work to reduce the costs associated with program delays, and report to the Committees on Appropriations by January 15, 2004 on options for cost reductions. In arriving at these options, NASA should include in the report an explanation of what constitutes core staff and program needs versus full development and operations staff requirements.

SPACE FLIGHT CAPABILITIES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $7,512,100,000 for space flight capabilities instead of $7,806,100,000 as proposed by the House and $7,582,100,000 as proposed by the Senate. Specifies that $15,000,000 of the amount provided for the Space Shuttle Life Extension Program shall be for development and independent assessment of concepts to increase crew survivability for crew sizes of 4 to 7 as proposed by the House. The conferees have not included the House language which would have specified these efforts should result in increased survivability by a factor of 20. Deletes the Senate language which would have specified $3,986,000,000 for activities related to the Space Shuttle and prohibited transfer of any of these funds to other programs or activities. Deletes Senate language which would have capped International Space Station costs at $1,507,000,000. Retains House language which allows for the transfer of funds from this account to the science, aeronautics, and exploration account in accordance with section 312(b) of the National Aeronautics and Space Act of 1958.

The amount provided is a reduction of $270,000,000 from the budget request and includes a reduction of $200,000,000 from the International Space Station request and a reduction of $70,000,000 from the Space Launch Initiative budget request.

While the conferees have agreed to delete Senate bill language which would have specified $3,986,000,000 for activities related to the Space Shuttle, the conferees agree that none of the reductions specified in this report should be taken against this activity. Transfers made pursuant to section 312(b) of the National Aeronautics and Space Act, while allowed, will need to be fully justified and approved by the Committees on Appropriations of the House and Senate in advance of the transfer and must include the outyear implications on all activities involved in the reprogramming action.

The conferees have not included a cost cap on the International Space Station as proposed by the Senate but do agree that there are substantial cost reductions associated with the program as a result of shuttle operations being suspended and agree that NASA needs to be more aggressive in controlling costs associated with reduced program activity.

The conferees agree that of the funds appropriated in this account, $24,000,000 shall be for the commercial technology program within the Innovative Technology Transfer Partnerships theme. NASA shall maintain this program as it existed in fiscal year 2003 and prior fiscal years.

The conferees do not agree with the Senate direction that the Space Flight Advisory Committee is to report directly and independently to the Congress on NASA's implementation of the Columbia Accident Investigation Board (CAIB) recommendations. Implementation of the CAIB recommendations is addressed further in the Inspector General section of this statement.

The conferees are in agreement that the new charter of the Aerospace Safety Advisory Panel addresses the concerns expressed in the Senate report and will satisfy the desire of the conferees to receive timely reports that assess the shuttle program in terms of safety, upgrades, operations, and overall management of the shuttle program.

Upon the resumption of shuttle flights to the International Space Station, the conferees direct NASA to develop and forward to the Committees on Appropriations of the House and Senate a plan detailing the steps necessary to reach U.S. Core Complete, as well as the outyear costs associated with this plan.

The conferees are in agreement that the Orbital Space Plane External Program Assessment Team (EPAT), as currently chartered, will address many of the concerns expressed by the Senate when its report suggested the creation of an independent oversight committee. However, the conferees are concerned that the current membership relies too heavily on former NASA officials and direct NASA to expand the membership of the EPAT to include individuals that have extensive non-NASA experience in program management to ensure necessary independence from the Space Launch Initiative program management. The conferees also direct the EPAT to report on its assessments of the program to the Congress on a quarterly basis, with the first report due on December 31, 2003.

The Orbital Space Plane (OSP) program is expected to represent a significant investment by the American taxpayers if it is carried out to completion. It is therefore necessary that NASA manage this program unlike any other program it has ever exe-

cuted or tried to execute in the past. The conferees believe that first and foremost, NASA must heed all the findings and recommendations of the International Space Station Management and Cost Evaluation report as well as the CAIB report. It does not appear from materials provided to the Congress thus far that this is the case. The conferees understand that NASA is currently scheduled to release the OSP full-scale development Request for Proposals (RFP) in late 2003, and are concerned that the goals of this RFP may not be aligned with the results of the ongoing interagency space policy review. The conferees believe that NASA should not release the RFP until the interagency space policy review has been completed and NASA has determined that the RFP is consistent with the results of this review. Additionally, the conferees believe the President must assure the Congress that sufficient resources will be available to support the contract awarded as a result of the RFP and the related NASA in-house efforts in fiscal year 2004 and the outyears and anticipate receipt of such assurances in a timely manner. Any operating plan changes that involve this program will not take effect until 90 days after submission to the Congress unless approved by the Committees on Appropriations of the House and Senate sooner than 90 days.

The conferees agree with the Senate direction that NASA report by January 31, 2004, on the outyear costs for each project within the Next Generation Launch Technology program, the criteria being used to select technologies for investment, and the metrics used to determine whether projects within the program are progressing or should be discontinued.

The conferees understand that NASA is currently assessing complementary and/or replacement logistics support to and from the International Space Station (ISS). This assessment encompasses utilization of Progress, Automated Transfer Vehicle (ATV), H–II Transfer Vehicle (HTV), Alternative Access to Space (AAS) concepts, Autonomous Shuttle, and possibly other cargo capability concepts. The AAS studies have an anticipated completion date of January 2004 to be followed by a thorough review of all the options by NASA. Additionally, the conferees understand that the administration is reviewing overall U.S. space exploration goals, including new cargo capability, as part of the fiscal year 2005 budget process. The conferees direct the administration to report back to the Committees on Appropriations of the House and Senate with the Agency's plan on ISS re-supply services by June 1, 2004.

The conferees are concerned that in its desire to return the shuttle to full operations, NASA may damage seriously the integrity of the Shuttle Life Extension Program (SLEP). The conferees believe that the process that NASA has put in place for the SLEP will correctly identify cost effective and necessary modifications, but NASA must still demonstrate the resolve to execute properly the program by requesting adequate budget resources and devoting management attention to the effort. The conferees will continue to examine this program and will not entertain unrealistic reprogramming proposals that place the program's overall objectives in jeopardy.

SCIENCE, AERONAUTICS AND EXPLORATION

(INCLUDING TRANSFER OF FUNDS)

Appropriates $7,929,900,000 for science, aeronautics and exploration instead of $7,707,900,000 as proposed by the House and $7,730,507,000 as proposed by the Senate. Includes language as proposed by the Senate which allows funding to be used for restoration of facilities.

The amount provided includes the following reductions to the budget request:

1. $8,000,000 from the Space Interferometer Mission;
2. $20,000,000 from Project Prometheus;
3. $10,000,000 from the Beyond Einstein program; and
4. $11,000,000 from the Global Climate Change Research Polarimeter program;

The conferees agree that the high radiation environment the Jupiter Icy Moons (JIM) mission is expected to encounter calls for development of low-cost hardened microcircuit devices for the JIM mission and is encouraged that the Jet Propulsion Lab is undertaking an immediate effort to validate new technology in time for its use on the JIM mission. The conferees share the concern expressed by the Senate regarding the Project Prometheus program, particularly uncertainties in the mission design, and the dependence on the new unproven technologies. For these reasons, the conferees direct NASA to provide specific program milestones and funding paths for all elements of Project Prometheus and report progress to the Committees on Appropriations of the House and Senate on a quarterly basis. All funding lines should include a full run-out of costs for at least 10 years. The first quarterly report is due on December 31, 2003.

The conferees are in agreement with the House direction for NASA to evaluate the level of stipends for its Graduate Student Research Program and the Earth System Science Fellowships as well as the House direction for an evaluation on the merits of expanding its use of graduate fellowships. Both reports are due not later than June 30, 2004.

The conferees share the concern of the House with regard to the establishment of a National Program Office for air traffic management development and direct NASA to report to the Committees on Appropriations by March 31, 2004 on efforts to establish the Office.

The conferees remain strongly supportive of the Center of Excellence for Aerospace Propulsion Particulate Emissions Reduction established at the University of Missouri-Rolla's Cloud and Aerosol Sciences Lab and expect NASA to develop a plan to utilize the Center's capabilities on an ongoing basis.

The conferees are aware that two of the three Virtual Airspace Modeling and Simulation (VAMS) programs being developed for the Federal Aviation Administration have been fully funded in NASA's budget submission. The conferees also note that the third program, Display System Replacement (DSR) enhancements, is a two-year, $15,000,000 effort that has not received adequate funding in the request. Because of the importance of these programs, the conferees expect that NASA fully fund all three programs in fiscal year 2004,

including $8,000,000 for DSR, and provide sufficient resources in the fiscal year 2005 submission to ensure their completion by the close of the fiscal year.

The conferees direct NASA to task the GSFC EOSDIS Project Office to develop the initial baseline architecture and information technology blueprint for the future EOSDIS and expect this activity to mirror the direction proposed in Senate Report 108–143. The conferees wish to reiterate that all future earth science enterprise missions should take full advantage of the existing EOSDIS system rather than creating individual "stove pipe" ground systems that will diminish the integrated architecture developed over the last dozen years.

The conferees are aware that technical problems affecting the Landsat 7 satellite threaten the nation's ability to continue providing land remote sensing data. The Land Remote Sensing Policy Act of 1992 (P.L. 102–555) directed the Landsat Program Manager to evaluate the options for a successor land remote sensing system to Landsat 7 and set forth four options for developing a successor system. To ensure that the U.S. Government does not experience a loss of remote land sensing capabilities which would jeopardize the nation's domestic, foreign policy and national security interests, the conferees instruct NASA to immediately begin developing a successor to the Landsat 7 system in accordance with P.L. 102–555. Furthermore, the conferees instruct NASA, working in conjunction with the United States Geological Survey, to develop a successor system that may be implemented in the near term based on the remaining options cited in the Land Remote Sensing Policy Act. It is the conferee's expectation that NASA will include in its FY 2005 budget justification a detailed plan and timeline for developing a successor system to Landsat 7.

The conferees have provided an additional $8,500,000 for the NPOESS Preparatory Project to initiate the mission's science data system through the EOSDIS Core System at the Goddard Space Flight Center. Such a system should have capabilities to: process Level 1 data; distribute it to not less than five Climate Analysis and Research Systems (CARS) for higher level processing; and archiving all Level 1 data and products resulting from higher level processing activities. The conferees believe NASA, through the GSFC–ECS, must assume responsibility for this critical portion of the NPP to avoid significant gaps in the utilization of the mission's data and expect NASA to subsequently budget for it beyond fiscal year 2004.

The conferees agree, that within the total funding provided, $25,325,000 shall be for the National Space Grant College and Fellowship program as specified in the House report and $10,000,000 shall be for the EPSCoR program.

The conferees agree to the following additions to the budget submission:

1. $1,000,000 for the GSFC COM Simulation Architecture Project;

2. $1,000,000 for the Alabama Supercomputer Education Outreach program;

3. $1,000,000 for the Pulsed Power and Energetic Research Center at the University of Huntsville, Alabama;

4. $1,000,000 for Science, Engineering, Math and Aerospace Academy programs. The Academy is to be established at Albany State College in Georgia;

5. $250,000 for the National Science Center Foundation of Augusta, Georgia for its Learning Logic Program;

6. $1,000,000 for aircraft engine research, including research being done in conjunction with the Department of Defense;

7. $150,000 for the North Alabama Planetarium Initiative;

8. $900,000 to Alabama A&M University—Advanced Space Propulsion Material Research and Technology Center;

9. $1,500,000 to the BizTech High Technology Business Incubator;

10. $2,000,000 to the In-Space Propulsion program for High-Power Pulsed Inductive Thruster technology research, utilizing a vector inversion pulsed generator to pre-ionize the propellant at an exceptionally high frequency;

11. $1,000,000 for remote sensing infrastructure at the University of Miami Center for Southeastern Tropical Remote Sensing (CSTARS) in Miami-Dade County, Florida;

12. $500,000 for Southeast Missouri State University's NASA Educator Resource Center;

13. $2,200,000 for the Education Advancement Alliance in Philadelphia, Pennsylvania for education grants and scholarships;

14. $250,000 for Rutgers for continued construction of a research and teaching facility on its Busch Campus in Piscataway, New Jersey;

15. $250,000 for Middle Tennessee State University for K–12 Science Education Enhancements;

16. $500,000 for the Northwestern University's Institute for Proteomics and Nanotechnology;

17. $2,300,000 for the NASA—Illinois Technology Commercialization Center at DuPage County Research Park;

18. $300,000 to develop a high temperature nanotechnology research program;

19. $300,000 for a national Communications, Navigation, and Surveillance test bed;

20. $300,000 for the Biological and Physical Research Rack on the ISS;

21. $500,000 for the Industrial Technology Institute at Cleveland State University;

22. $800,000 for an Aerospace Education Center in Cleveland, Ohio;

23. $800,000 for the Glennan Microsystems Initiative;

24. $200,000 for the Bowling Green State University Hybrid Engine project;

25. $500,000 for the Ohio View Consortium;

26. $1,300,000 for the University of Toledo Turbine Institute;

27. $1,000,000 for the Garrett Morgan Commercialization Initiative in Ohio;

28. $200,000 for the Adler Planetarium in Chicago, Illinois for its Cosmic Gateway Teacher Training program;

29. $1,000,000 for Michigan SATS Incorporated;

30. $2,000,000 for the Michigan Technology Commercialization Corporation to identify and develop new medical materials and

technologies which have the ability to provide low cost alternatives to current therapies;

31. $300,000 for the Center for Science and Mathematics at the University of Redlands, California;

32. $2,500,000 for continued Space Radiation Research at Loma Linda University Medical Center;

33. $300,000 for Fulton Montgomery Community College in Johnstown, New York for the Spatial Information Technology Center;

34. $1,000,000 for the Goddard Space Flight Center's Clustering and Advanced Visual Environments Initiative;

35. $1,500,000 for on-going activities in support of NASA Dryden Flight Research Center's Intelligent Flight Control System (IFCS) research project;

36. $1,500,000 for on-going activities of the Goddard Institute for Systems, Software, and Technology Research, including mission design tools, Earth science analysis, and remote sensing instrumentation development;

37. $2,500,000 for the Institute for Scientific Research, Inc. for research related to transversable access to orbit;

38. $1,700,000 for continued development of a lightweight carrier pallet to support the Hubble Space Telescope Program;

39. $4,000,000 for NASA's Independent Verification and Validation Facility;

40. $15,000,000 for the Institute for Scientific Research, Inc. for development and construction of research facilities;

41. $750,000 for the NASA Goddard Commercial Technology program only to fund the full implementation of the Earth Alert Project;

42. $500,000 for the NASA Specialized Center for Research and Training in Gravitational Biology at North Carolina State University;

43. $1,000,000 to the University of North Carolina at Chapel Hill for the Morehead Planetarium and Science Center;

44. $1,500,000 to the MCNC-Research and Development Institute (RDI) to establish a Laboratory for Distributed Chemical and Biological Sensors;

45. $500,000 for the Montana Aerospace Development Authority;

46. $1,500,000 for Idaho State University for the Temporal Land Cover Change Research Program;

47. $1,500,000 for the Idaho National Engineering and Environmental Laboratory for development of performance, safety, and mission success tools for NASA programs;

48. $500,000 for continuation of emerging research that applies remote sensing technologies to forest management practices at the State University of New York, College of Environmental Sciences and Forestry;

49. $500,000 for the development of an Aircraft Radio Guidance System (ARGUS) utilizing a new radio frequency interferometer that will provide two or three dimensional navigation guidance for airborne, space or surface vehicles;

50. $1,000,000 for the Advanced Interactive Discovery Environment engineering research program at Syracuse University;

51. $1,500,000 for Integrated Sensing Systems at the Rochester Institute of Technology;

52. $2,000,000 to research Secure Automatic Dependent Surveillance Broadcast (ADS–B) Surveillance data link technology for enhanced aviation security and general aviation airspace access;

53. $2,000,000 for Cryogenic Power Electronics Development at the State University of New York at Albany;

54. $2,000,000 for the JASON Foundation;

55. $2,000,000 for the Regional Application Center for the Northeast;

56. $2,550,000 for the Fractional Aircraft Ownership Test Program;

57. $3,000,000 in the Computing, Information and Communications Technology Program (CICT) for High Information Density Approaches to Mobile Broadband Internet Communications;

58. $4,000,000 for new Adaptive Surveillance Techniques for Airport Surface Safety;

59. $4,500,000 for the National Center of Excellence in Infotonics in Rochester, New York;

60. $4,500,000 for the National Center of Excellence in Bioinformatics in Buffalo, New York;

61. $4,500,000 for a new Science Center at St. Bonaventure University in New York State;

62. $5,000,000 for Project SOCRATES;

63. $6,000,000 for the continuation of the Space Alliance Technology Outreach Program, including $2,500,000 for business incubators in Florida and New York;

64. $175,000 to the Astronaut Memorial Foundation for the Columbia STS 107 addition to the National Space Mirror Memorial at Kennedy Space Center;

65. $900,000 for the Florida Institute for Technology in Melbourne, Florida for a Hydrogen Production, Fuel Cell and Sensor Technology Initiative;

66. $1,900,000 for replacement and upgrade of equipment at Kennedy Space Center;

67. $300,000 for the Florida State University Challenger Learning Center;

68. $500,000 to the University of South Florida Center for Space Cellular and Macromolecular Biotechnology;

69. $8,000,000 for the Florida State University System Hydrogen Research Initiative;

70. $1,000,000 to the Little River Canyon field school;

71. $1,000,000 to the Tulane Institute for Macromolecular Engineering and Science for research on polymers;

72. $7,500,000 for the implementation of a remote data store at the NASA IV&V Facility, to be distributed as follows: no less than fifty percent of appropriated funds are for the acquisition of data storage hardware and software including, but not limited to, content addressable storage technologies; remaining funds are provided for communications, facility and integration services at the IV&V Facility to support data backup, recovery, and on-line access capabilities for the Goddard Space Flight Center (GSFC) ECS program;

73. $2,250,000 for the University of Alabama in Huntsville for the Center for Modeling Simulation and Analysis;

74. $3,000,000 for Solar Probe mission within available funds;

75. $1,000,000 to Utah State University, Logan, Utah for the Calibration Center;

76. $1,500,000 to Montana State University-Bozeman for the Center for Studying Life in Extreme Environments;

77. $750,000 to Montana State University-Bozeman for the Space Science and Engineering Lab;

78. $1,000,000 to the University of Idaho in Moscow, Idaho for advanced microelectronics and biomolecular research;

79. $1,500,000 to the Glenn Research Center for the Advance Power Systems Institute;

80. $2,000,000 to New Mexico State University for the ultra-long balloon program to augment planned flights and technology development;

81. $2,000,000 to Texas Tech University in Lubbock, Texas for equipment at the Experimental Sciences Building;

82. $1,000,000 to the University of Texas, Austin for nanomedicine;

83. $1,000,000 to Texas A&M University in College Station for the Space Engineering Institute;

84. $2,000,000 for the Stennis Space Center for the commercial technology program;

85. $1,400,000 to the University of New Orleans, Louisiana for the Composites Research Center of Excellence and for the development of advanced manufacturing technologies at Michoud Space Center;

86. $2,500,000 to Marshall University, Bridgeport, West Virginia for the Hubble Telescope Project;

87. $2,300,000 to the University of North Dakota, Grand Forks, North Dakota for the Northern Great Plains Space Science and Technology Center;

88. $2,000,000 for University of Maryland, Baltimore County for photonics research;

89. $8,000,000 for mission formulation studies for EOS follow-on missions;

90. $23,000,000 for EOSDIS Core System Synergy Program of which $2,000,000 is for the Northwest Collaboratory at the Pacific Northwest National Laboratory;

91. $1,500,000 to George Mason University, Fairfax, Virginia for the Center for Earth Observing and Space Research Mid-Atlantic Geospatial Information Consortium;

92. $1,000,000 to Utah State University, Logan, Utah for the Intermountain Region Digital Image Archive and Processing Center;

93. $2,500,000 to the University of Mississippi for the Enterprise for Innovative Geospatial Solutions;

94. $2,000,000 to Mississippi State University for the Geospatial and Natural Resources Institute;

95. $1,600,000 to the University of New Mexico for the Center for Rapid Environmental Assessment and Terrain Evaluation;

96. $3,000,000 for the University of Alaska for weather and ocean research;

97. $1,000,000 to Glenn Research Center for the John Glenn Biomedical Engineering Consortium;

98. $1,250,000 to Space Sciences Inc. for microgravity related pharmaceutical development;

99. $2,500,000 for Marshall Space Flight Center for the Propulsion Materials Microgravity Research project;

100. $2,000,000 for the University of Missouri Bioinformatics Consortium for equipment purchase;

101. $1,500,000 for Truman State University Life Sciences for laboratory equipment;

102. $5,000,000 for the development of an aeronautics research budget covering the next 5 years. It is expected that air traffic management will also be included within this budget. Funds shall be allocated to the National Institute for Aerospace for contracting with industry and academia to prepare such a budget plan no later than March 1, 2004;

103. $15,000,000 for future aircraft research with a priority on supersonic flight technologies;

104. $15,000,000 for future aviation systems including a priority on aviation security and air traffic management;

105. $15,000,000 for continued development of flight technologies with direct application to military vehicles;

106. $3,000,000 to Wichita State University, Wichita, Kansas for the National Center for Composite Materials Performance;

107. $1,000,000 to Wichita State University, Wichita, Kansas for the Critical Aircraft Icing project;

108. $2,000,000 to Glenn Research Center for the commercial technology program;

109. $2,500,000 to Stennis Space Center for infrastructure improvements;

110. $1,000,000 to Stennis Space Center for relocation of the visitors center. NASA is also directed to submit a funding plan to the Committee for the visitors center;

111. $1,000,000 to the Delaware Aerospace Education Foundation, Kent County, Delaware;

112. $2,000,000 to Wheeling Jesuit University for the National Technology Transfer Center;

113. $1,000,000 to the Virginia Commonwealth University, Richmond, Virginia for advanced research in batteries and fuel cells;

114. $1,500,000 to the University of Montana in Missoula, Montana for the National Space Privatization Program;

115. $2,000,000 for the Denver Museum of Nature and Science in Denver, Colorado for equipment for the Space Science Museum;

116. $1,500,000 for the Adventure Science Center in Nashville, Tennessee for the Sudekum Planetarium;

117. $500,000 for the University of Northern Iowa in Cedar Falls, Iowa for the Existing Business Enhancement Program;

118. $1,300,000 for Iowa State University for the PIPELINES Project;

119. $1,000,000 for the Metropolitan School District of Decatur Township Indiana for the Challenger Learning Center Expansion;

120. $1,700,000 for Northern Kentucky University/University of Louisville for a digital science center;

121. $1,000,000 for the Oregon Museum of Science and Industry for the space science education distance learning program;

122. $1,000,000 for Southeast Missouri State University for the NASA ERSC Outreach Project;

123. $1,500,000 for Dominican University's Center for Science and Technology for project based learning;

124. $200,000 to Wheeling Jesuit University for Classroom of the Future;

125. $2,000,000 to the University of Connecticut for the Center for Land Use Education and Research;

126. $2,000,000 to Iowa State University, Ames, Iowa for nondestructive evaluation studies;

127. $500,000 to the Des Moines Science Center, Des Moines, Iowa;

128. $2,000,000 for the School of Science and Mathematics at the College of Charleston, Charleston, South Carolina;

129. $3,000,000 to the University of Hawaii, Hilo for the Mauna Kea Astronomy Education Center;

130. $1,500,000 to Space Education Initiative, Wisconsin for the Wisconsin Geoscience Education initiative;

131. $1,000,000 to the Youth Achievers Committee of New Jersey, Burlington County, New Jersey for the Youth Achievers Committee Science and Math Initiative;

132. $500,000 to the University of Vermont, Burlington, Vermont for the Center for Advanced Computing;

133. $1,000,000 to Wayne State University, Detroit, Michigan for the Center of Smart Sensors and Integrated Microsystems;

134. $1,000,000 for Wellpinit School District in Wellpinit, Washington for the Virtual Classroom Project;

135. $1,500,000 for the Mitchell Institute, Portland, Maine for the science and engineering education endowment;

136. $1,500,000 for the Arkansas Center for Space and Planetary Sciences;

137. $600,000 for the Challenger School in Kenai, Alaska;

138. $8,500,000 for the NPOESS data science system;

139. $1,000,000 for the Dole Scholarship Program;

140. $1,800,000 for the City College of New York for a community-based science and technology education facility;

141. $3,000,000 for technology development necessary to ensure the Satellite Test of the Equivalence Principle mission can move forward;

142. $3,000,000 to be transferred to the Air Force Research Lab to develop and deploy Interactive Data Wall technology;

143. $3,000,000 to be transferred to the Air Force for joint research on emerging areas of computing, including grid computing, quantum and biomolecular information processing technology; and

144. $3,000,000 to be transferred to the Air Force Research Lab to develop dual-use lightweight space radar technology.

OFFICE OF INSPECTOR GENERAL

Appropriates $27,300,000 for the Office of Inspector General instead of $26,300,000 as proposed by both the House and Senate. The conferees have agreed to a higher funding level to ensure the Inspector General has the resources to hire sufficient staff with

technical expertise to monitor long-term compliance with the recommendations of the Columbia Accident Investigation Board (CAIB). The conferees also believe the Inspector General should work closely with the Return to Flight Task Group, the Stafford-Covey group, as it reviews NASA's implementation of the CAIB recommendations. The conferees direct the Inspector General to report on efforts to hire additional technical staff to the Committees on Appropriations of the House and Senate by June 30, 2004.

The conferees agree with the direction contained in the Senate report regarding a review of NASA's contract procedures and conventions to determine reforms which may lead to cost savings.

ADMINISTRATIVE PROVISIONS

The conferees have included five administrative provisions which were in both the House and Senate bills. The conferees have not included a provision on the working capital fund as proposed by the Senate. The conferees have not included a Senate provision which would have prohibited NASA from using any funds to compensate any person who contracts with NASA if that individual had selected early retirement or taken a buy-out from NASA.

The conferees agree with the Senate direction that NASA report on the budgetary impact of its proposed reforms to its personnel practices.

The conferees agree with the Senate direction that NASA should contract with the National Academy of Public Administration on the organizational structure of NASA headquarters and field operations.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

Provides limitation of $1,500,000,000 on CLF lending activities from borrowed funds as proposed by the House and Senate.

The conferees direct NCUA to provide quarterly reports on lending activities of the CLF through September 2004.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

Appropriates $1,200,000 instead of $1,000,000 as proposed by the House and $1,500,000 as proposed by the Senate. Within this amount, $1,000,000 is provided to augment funds available for technical assistance grants for fiscal year 2004 and $200,000 is available until expended for loans to community development credit unions.

NATIONAL SCIENCE FOUNDATION

The conferees agree that the National Science Foundation is to abide by the reprogramming requirements set forth in the beginning of the statement of the managers.

RESEARCH AND RELATED ACTIVITIES

Appropriates $4,276,600,000 for research and related activities instead of $4,306,360,000 as proposed by the House and $4,220,610,000 as proposed by the Senate. The conferees have in-

cluded bill language which provides up to $345,000,000 for polar research and operations support and $90,000,000 for a comprehensive research initiative on plant genomes for economically significant crops.

The conference agreement provides $4,276,600,000 for ongoing and new research priorities of the Foundation, an increase of over $220,140,000 above the fiscal year 2003 level. Within the very severe overall fiscal constraints imposed on the conferees for fiscal year 2004, the managers have given their highest priority to funding basic research within the research and related activities account. This account supports investigator-initiated grants within each of the core disciplines as well as critical cross-cutting research which brings together multiple disciplines. The conferees urge the Foundation in allocating the scarce resources provided in this bill and in preparing its fiscal 2005 budget request to be sensitive to maintaining the proper balance between the goal of stimulating interdisciplinary research and the need to maintain robust single issue research in the core disciplines.

The conferees direct NSF to include multi-year budget estimates and future budget impacts for multi-disciplinary and mid-level activities in the annual operating plan and in future budget requests.

The specific funding level for each of NSF's research activities is as follows:

Directorate	FY 2004 request	House Report 108–235	Senate Report 108–143	Conference agreement
Biological Sciences	$562,220,000	$586,841,000	$577,220,000	$592,000,000
Computer & Information Science & Engineering	584,260,000	609,846,000	609,390,000	609,600,000
Engineering	536,570,000	560,067,000	550,000,000	561,000,000
Geosciences	687,920,000	718,045,000	692,210,000	719,000,000
Mathematical & Physical Sciences	1,061,270,000	1,107,745,000	1,085,870,000	1,100,000,000
Social, Behavioral & Economic Sciences	211,740,000	221,012,000	206,740,000	205,000,000
Polar Programs	329,930,000	350,000,000	341,730,000	345,000,000
Integrative Activities	132,450,000	147,804,000	157,450,000	145,000,000

From the amount provided for Biological Sciences, $90,000,000 has been provided for plant genome research on economically significant crops.

From the amount provided for Computer and Information Science and Engineering, up to $225,000,000 of the appropriated level may be used for information technology research and not less than $20,000,000 may be used for cyberinfrastructure initiatives.

From Mathematical and Physical Sciences, $55,310,000 is for the National Radio Astronomy Observatory program of which $9,400,000 is provided for the Expanded Very Large Array; $10,300,000 is for the Green Bank Observatory; and $4,600,000 is for studies and repair of the Green Bank Observatory. The conferees recommend $6,000,000 for continued advanced planning of the Rare Symmetry Violating Process project.

Of the amount for Social Behavioral and Economic Sciences, $6,000,000 is for the Children's Research Initiative.

The conferees direct NSF to provide details on the funding levels for research and logistics within the U.S. Polar Research Programs in the fiscal year 2004 operating plan.

From the funds provided for Integrative Activities, $110,000,000 is provided for Major Research Instrumentation. To the extent possible, NSF should utilize funds in excess of the budget request to support the merit-based instrumentation and infrastructure needs of developing, HBCU, and other minority-serving colleges and universities.

The conference agreement includes $255,000,000 for nanotechnology programs throughout the directorates, an increase of $34,000,000 over fiscal year 2003.

The Conferees direct NSF to include the multi-year budget estimates for all multi-disciplinary and mid-level activities in the annual operating plan and in future budget requests.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

Appropriates $155,900,000 for major research equipment and facilities construction instead of $192,330,000 as proposed by the House and $149,680,000 as proposed by the Senate. Included within the appropriated amount is $51,000,000 for construction of the Atacama Large Millimeter Array aperture-synthesis radio telescope; $43,500,000 for EarthScope; $42,000,000 for continued research and development of the IceCube Neutrino Detector Observatory in Antarctica; $8,100,000 for the George E. Brown, Jr. Network for Earthquake Engineering Simulation; $1,300,000 for construction costs associated with the Amundson-Scott South Pole Station; and $10,000,000 for support of the Terascale Computing System and the Distributed Terascale Facility.

The conferees have not provided funding for the National Ecological Observatory Network (NEON) without prejudice. The conferees direct NSF to consider the recommendations in the National Academy of Sciences report and continue to refine the NEON plan from funds provided under research and related activities.

The conferees have not provided funding for the Integrated Ocean Drilling Program (IODP) and instead expect to see funding for this project proposed in the fiscal year 2005 request as stated in the fiscal year 2004 budget justification.

The conferees reiterate language included in the Senate report directing NSF to develop with the National Science Board funding criteria for major projects; directing NSF to identify all equipment, facility, and infrastructure-related costs over $5,000,000 in the fiscal year 2005 budget request; and directing the Deputy Director of Large Facility Projects to develop guidelines and a cost tracking system to ensure cost oversight.

EDUCATION AND HUMAN RESOURCES

Appropriates $944,550,000 for education and human resources instead of $910,680,000 as proposed by the House and $975,870,000 as proposed by the Senate. The conferees agree to the following funding levels and directives within this account:

Program	FY 2004 request	House Report 108–235	Senate Report 108–143	Conference agreement
Math & Science Partnership	$200,000,000	$140,000,000	$145,000,000	$140,000,000
EPSCoR	75,000,000	90,000,000	100,000,000	95,000,000
Elementary, Secondary & Informal Education	194,450,000	204,450,000	209,450,000	207,000,000
Undergraduate Education	142,100,000	146,440,000	172,810,000	162,940,000

Program	FY 2004 request	House Report 108–235	Senate Report 108–143	Conference agreement
Graduate Education	156,880,000	156,880,000	156,880,000	156,880,000
Human Resources Development	103,410,000	106,710,000	125,530,000	116,530,000
Research, Evaluation & Communication	66,200,000	66,200,000	66,200,000	66,200,000

The conferees direct NSF to submit a report by May 1, 2004, on the status of all the States participating in the Experimental Program to Stimulate Competitive Research (EPSCoR) program, and to include within this report the progress of each eligible state towards graduation from the EPSCoR program.

Within the level of funding for Elementary, Secondary and Informal Education, $62,500,000 has been provided for the Informal Science Education program.

Of the amount appropriated for Undergraduate Education, $45,500,000 has been provided for the Advanced Technological Education program; $25,000,000 is for the STEM Talent Expansion Program; and $8,000,000 is for the Robert Noyce Scholarship Program. No funds are provided for the Workforce for the 21st Century program.

The conferees have provided sufficient funding in fiscal year 2004 to reach a graduate stipend level of $30,000.

Within the funding level for Human Resource Development, $34,500,000 is provided for the Louis Stokes Alliances for Minority Participation program; $24,000,000 is provided for the Historically Black Colleges and Universities Undergraduates (HBCU) Program; $15,000,000 is provided for the Alliance for Graduate Education and Professoriate; and $15,000,000 is provided for the Centers of Research Excellence in Science and Technology (CREST) program and the HBCU Research University Science and Technology (THRUST) initiative within CREST. While the conferees agree that eligibility for THRUST should not exclude CREST recipients, NSF is directed to first use fiscal year 2004 program funds to fully fund multi-year awards to recipients of THRUST.

SALARIES AND EXPENSES

Appropriates $220,000,000 for salaries and expenses instead of $215,900,000 as proposed by the House and $225,700,000 as proposed by the Senate.

The conference agreement provides $2,500,000 for the administrative, management, and enterprise architecture evaluation contract underway. The conferees strongly urge the Foundation to give highest priority to enterprise architecture work products and information technology implementation. The conferees request that the National Science Board and the Inspector General review the proposed project plan and provide comment to the Committees on Appropriations by March 1, 2004.

The conferees request that the Director of the Office of Personnel Management conduct a review of NSF policies and practices regarding use of temporary term employees, known as "rotators", and report the findings to the Director of the Foundation and the Committees on Appropriations not later than March 1, 2004. The conferees request that this review focus on the percentage of the NSF professional workforce staffed through temporary appoint-

ments and its impact on the career civil service system at NSF, the use of temporary appointments to staff the most senior positions at NSF including the heads of its science Directorates, and the level of compensation paid to individuals filling senior staff appointments through temporary appointments. Further, the conferees direct that future budget requests will consolidate the costs of all temporary employees, including employees covered under inter-governmental personnel agreements, under this heading.

The conferees direct NSF to enforce the existing policy providing NSF employee travel from this account.

The conferees direct NSF to designate a senior-level manager at the Foundation responsible for assisting minority serving institutions working with the Foundation.

OFFICE OF THE NATIONAL SCIENCE BOARD

Appropriates $3,900,000 for the National Science Board as proposed by the Senate, instead of $3,800,000 as proposed by the House. A representational allowance of $9,000 has been provided for the Board.

The conferees agree that NSF will continue to provide support for the preparation of the Science and Engineering Indicators report, plus all other activities as in previous years. The conferees direct the Foundation to include budget justification materials for the Board as a separate account in future budget requests to the Congress.

OFFICE OF INSPECTOR GENERAL

Appropriates $10,000,000 for the Office of Inspector General as proposed by both the House and the Senate.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

Appropriates $115,000,000 for the Neighborhood Reinvestment Corporation as proposed by both the House and Senate.

Language is included in the bill which designates $5,000,000 to support the Corporation's multi-family rental housing program, as proposed by the Senate.

ADMINISTRATIVE PROVISION

Language is included as an administrative provision, as proposed in the budget submission, which amends the Neighborhood Reinvestment Corporation Act to bring the Corporation's compensation practices in line with those of federally chartered non-profit corporations.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

Appropriates $26,308,000 for salaries and expenses as proposed by the Senate instead of $28,290,000 as proposed by the House. The conference agreement does not include language proposed by the Senate which prohibits the system from using funds

to support the Corporation for National and Community Service. However, the conferees direct the Selective Service System to discontinue providing information about the Corporation in the future.

TITLE IV—GENERAL PROVISIONS

The conference agreement includes the following dispositions of General Provisions:

Retains fourteen general provisions proposed by both the House and the Senate, all of which were included in the fiscal year 2003 Act.

Deletes language proposed by the Senate prohibiting the obligation or expenditure of funds unless the contract has been awarded and entered into in full compliance with the Office of Federal Procurement Policy Act.

Retains language proposed by the Senate regarding the Buy-America Act.

Retains language proposed by the House limiting the transfer of funds in this Act to the authority provided by this Act.

Retains language proposed by the House establishing new full cost accounting appropriations accounts for the National Aeronautics and Space Administration.

Retains language proposed by the House regarding outreach and marketing efforts to enroll veterans in the Veterans Health Administration. A similar amendment was proposed by the Senate.

Retains language proposed by the House and Senate prohibiting funds from being used to estimate the values for adult premature mortality that differ based on the age of the adult.

Retains language proposed by the House expressing a Sense of the Congress that no veteran should wait more than thirty days for a doctor's appointment.

Retains language proposed by the Senate expressing a Sense of the Congress that human dosing studies of pesticides raise ethical and health questions. The House bill included a related provision.

Retains language proposed by the House prohibiting the use of any NASA funds to be used for voluntary separation incentive payments if those incentives result in the loss of skills related to the safety of the Space Shuttle or the International Space Station.

Retains language proposed by the Senate providing States administering the Community Development Block Grant (CDBG) programs flexibility in the use of funds for administrative expenses and technical assistance. While such flexibility has been provided, the conferees expect the States to ensure that appropriate technical assistance is provided to localities receiving funds under the CDBG program.

Deletes a provision proposed by the Senate authorizing appropriations for sewer overflow grants. This conference agreement deletes this provision without prejudice, instead referring the matter to the relevant authorizing committees.

Retains a provision proposed by the Senate expanding a National Academy of Sciences study on New Source Review rules.

Retains a provision proposed by the Senate regarding harmonization of dates related to air quality standards for particulate matter and regional haze.

Includes modified language, similar to language proposed by the Senate recognizing the six Pioneer Homes in Alaska as eligible for per diem payments under the Department of Veterans Affairs state home program.

The conferees have included a new general provision which provides authority for the NASA Administrator to exceed the limitation on claims contained in the National Aeronautics and Space Act of 1958.

Deletes language proposed by the Senate regarding Agent Orange studies without prejudice. Instead, the conferees direct the VA to report by February 27, 2004, on the Department's future plans for epidemiological research on Vietnam veterans exposed to Agent Orange as recommended in April 2003 by the Institute of Medicine (IOM), including the Department's future resource needs for these studies. The conferees strongly encourage VA to consult with the IOM on this matter.

Deletes language proposed by the Senate providing enhanced-use lease authority at the Charleston VA Medical Center.

Deletes language proposed by the Senate regarding VA-Navy facilities sharing in North Chicago and instead addresses this matter in report language under title I.

Deletes language proposed by the Senate regarding international jurisdictional issues.

Deletes language proposed by the Senate regarding health care for veterans in rural areas and instead addresses this matter in report language under title I.

The conferees have not included language proposed by the Senate specifying the allocation of funds among Native American tribes under the NAHASDA block grant program.

The conferees have not included language proposed by the Senate establishing a new rural housing for teachers program under the Denali Commission.

Deletes language proposed by the Senate in this title regarding the public housing operating subsidy formula and instead includes modified language under administrative provisions in title II.

Deletes language expressing the Sense of the Senate on the section 8 voucher program.

Deletes language proposed by the Senate regarding the Paul and Sheila Wellstone Center and instead includes funding for this activity under the Community Development Fund in title II. The House did not include a similar provision.

Deletes language proposed by the Senate requiring the HUD Secretary to extend certain Moving to Work agreements and to require a study.

Deletes a provision proposed by the Senate regarding VISTA volunteer education awards. Instead, the conferees have included report language in title III.

Deletes a provision proposed by the Senate regarding rulemaking for AmeriCorps programs and instead includes a similar provision in title III.

Includes a provision which sets certain requirements for the EPA and States regarding the regulation of engines under 50 horsepower.

TITLE V—PESTICIDE PRODUCTS AND FEES

The conference agreement modifies a provision proposed by the Senate which provides for the collection of certain pesticides fees through fiscal year 2008.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2003	123,003,816
Budget estimates of new (obligational) authority, fiscal year 2004	126,344,797
House bill, fiscal year 2004	126,943,148
Senate bill, fiscal year 2004	128,243,712
Conference agreement, fiscal year 2004	128,243,693
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2003	+5,239,877
Budget estimates of new (obligational) authority, fiscal year 2004	+1,898,896
House bill, fiscal year 2004	+1,300,545
Senate bill, fiscal year 2004	−19

DIVISION H—MISCELLANEOUS APPROPRIATIONS AND OFFSETS

(INCLUDING RESCISSIONS OF FUNDS)

(INCLUDING TRANSFER OF FUNDS)

Sec. 101. The conference report includes language regarding the Conservation Security Program.

Sec. 102. This section redirects funds provided by P.L. 108–106 from the Emergency Preparedness and Response, Disaster Relief account to the Forest Service and Natural Resources Conservation Service and other accounts in the Department of Agriculture which fund critically needed wildfire, forestry and watershed protection services in response to the unprecedented wildfire emergencies which recently devastated portions of southern California. The emergency declaration does not increase emergency spending beyond what was designated in P.L. 108–106.

Sec. 103. The conference agreement provides additional funding for reimbursement to State and local law enforcement agencies for security costs associated with the 2004 Presidential Candidate Nominating Conventions. The conference agreement provides not more than $25,000,000 each for New York City and Boston. The Department of Justice is directed to submit a report to the Committees on Appropriations detailing how these funds are allocated. The report shall include a list of State and local law enforcement agencies receiving reimbursements including the amount and purpose for which each agency received reimbursement.

Sec. 104. The conference agreement includes language establishing the Commission on the Abraham Lincoln Study Abroad Fellowship Program, and providing $500,000 for this purpose.

Sec. 105. The conference agreement includes language regarding a Northeast Multispecies Fishery Management Plan.

Sec. 106. The conference agreement includes an additional $16,000,000 for the United States Supreme Court, Care of the Building and Grounds account.

The conference agreement includes a general provision which transfers previously appropriated Navy acquisition funds to provide a $49,000,000 increase for the advance procurement and full funding of the Virginia class submarine and a $19,600,000 increase for additional requirements for the refueling of the SSN–715. The conferees understand that $9,200,000 is available from fiscal year 2004/2005 Research, Development, Test and Evaluation, Navy funds made available for New Design SSN and Advanced Submarine Systems Development. The conferees direct that the $9,200,000 reduction be applied solely to projects included in the base program requested in the fiscal year 2004 budget and applied equally to both New Design SSN and Advanced Submarine Systems Development programs. The conferees request that a breakout of the application of this reduction be provided to the congressional defense committees within 30 days of enactment of this Act. The conferees further understand that $8,000,000 of the funds appropriated in fiscal year 2003 and $11,800,000 of the funds appropriated in fiscal year 2004 for outfitting, post delivery, conversions, and first destination transportation are in excess to current requirements and therefore available for reprogramming. The conferees direct that these reductions be equitably applied to the ships and submarines for which the funds were originally requested.

The conference agreement includes a general provision which makes technical adjustments to section 724 of the National Defense Authorization Act for Fiscal Year 1997, as amended by the National Defense Authorization Act for Fiscal Year 2004.

The conference agreement includes a general provision which makes technical adjustments to section 853 of the National Defense Authorization Act for Fiscal Year 2004.

The conference agreement includes a general provision which clarifies the application of section 8022 of the Department of Defense Appropriations Act, 2004 (Public Law 108–87).

The conference agreement includes a general provision which provides that from within available Defense Health Program funding, $3,100,000 is to be used only for the procurement of Linear Accelerator Radiation Therapy equipment and associated operating software for Walter Reed Army Medical Center, and $2,900,000 is to be used only for the Defense and Veterans Head Injury Program.

The conference agreement includes a general provision regarding the storage of mercury in the National Defense Stockpile.

The conference agreement includes a general provision providing technical adjustments and authority for certain classified activities provided for in Public Law 107–206 and described in the classified annexes accompanying that Act and Public Law 108–11.

The conference agreement includes a general provision providing direction regarding funds provided in Public Laws 107–117, 107–248, and 108–87 under the heading "National Defense Sealift Fund" for construction of additional sealift capacity.

DoD–VA Medical Care.—The conferees direct the Secretary of the Navy to expand the use of the North Chicago VA Medical Center by the DoD beneficiaries of the Great Lakes region. The con-

ferees also direct the Secretary to work with the Secretary of Veterans Affairs to finalize site selection for a joint Navy/VA ambulatory care center to serve both DoD beneficiaries and veteran patients. The conferees urge the Secretary to study siting the clinic adjacent to the North Chicago VA Medical Center. The Secretary shall report to the Committees on Appropriations on the site selected by July 30, 2004. The conferees also understand that the Committees will see a proposal for design planning and funding construction of this facility in fiscal year 2006.

Chemical Biological Suit.—The conferees are concerned with a recent GAO finding that the production of the JSLIST chemical biological suit worn by U.S. soldiers is dependent upon a foreign-based, single supply source for its most critical components. The Joint Program Executive Office for Chemical and Biological Defense plan to field test and qualify an off-the-shelf, alternate fabric/membrane to incorporate into a next generation suit will take three years to complete given current funding levels. The conferees direct the Department of Defense to provide necessary funds from those available immediately to begin field testing and qualification of an alternate, off-the-shelf fabric/membrane for the JSLIST suit.

Digitization of DoD Technical Manuals.—Within 10 days of the effective date of this Act, the Secretary of Defense shall complete the transfer of contract and program administration of the funds appropriated for the Digitization of DoD Technical Manuals from the Army to the Marine Corps Systems Command and shall transfer the balance of unobligated fiscal year 2003 funds and all fiscal year 2004 funds appropriated for this program from Other Procurement, Army to the "Auto Test Equipment Systems" line in Procurement, Marine Corps. The Secretary shall ensure that the transfer occurs in a manner that causes no delays or disruption in the program.

Vaccine Development.—The conferees are aware that there has been considerable progress made by DARPA on the development of a therapeutic vaccine for protection against anthrax as a weapon of bioterrorism. The conferees understand that the research and development has progressed to the point where primate and human clinical trials are the next phase. The conferees encourage the Department of Defense to continue this important research, and if necessary, use existing reprogramming authorities to address any fiscal year 2004 funding shortfalls should they emerge.

Philadelphia Military Academy.—The conferees recommend the Department of Defense establish a Junior ROTC program at the Philadelphia Military Academy. The Department should establish this program as quickly as feasible and use funds previously appropriated for these types of training programs.

Consequence Management Training.—It is the conferees' intent that the funds appropriated in Public Law 107–248 for consequence management training at Camp Gruber are to train both DoD personnel and non-DoD first responders.

Family Assistance and Ombudsman for WRAMC.—The demand for medical treatment and family assistance has increased significantly at our military medical facilities. In particular, there have been almost 2,000 soldiers who have gone through Walter Reed Army Medical Center (WRAMC) for medical treatment since

the beginning of Operation Iraqi Freedom. The WRAMC staff has responded exceptionally well to the medical needs of our injured troops and should be commended for their work. The conferees, however, are concerned that family members coming to the Washington, DC area to visit their loved ones are experiencing transportation and information difficulties once they arrive. These include difficulties in obtaining and paying for transportation from airports to Walter Reed and confusion once they get to Walter Reed regarding lodging, per diem, and the availability of family assistance resources. The conferees recommend that the Army establish an Ombudsman program, as part of the overall family assistance outreach program, to assist family members of injured soldiers at Walter Reed. This should include representatives to meet and greet family members at Walter Reed upon their initial arrival to guide them to their destination and inform them of available assistance.

Walter Reed Amputee Center.—The conferees are aware of Walter Reed Army Medical Center's efforts to improve amputee treatment and rehabilitation, especially in light of the growing number of injured military members returning from Operation Iraqi Freedom who require such care. As such, the conferees direct the Surgeon General of the Army to prepare and submit an infrastructure improvement plan for the Walter Reed Amputee Center to the congressional defense committees. The plan should be submitted not later than January 15, 2004, and should include a detailed description of the types of infrastructure improvements needed, a timetable for making these improvements, and associated cost estimates.

Section 117. The conference agreement includes language relating to previously appropriated funds for the False Pass, Alaska, project.

Section 118. The conference agreement includes language regarding the Central Riverfront Park project on the Ohio River in Cincinnati, Ohio.

Section 119. The conference agreement includes language providing for the use of available funds from the Hamlet City Lake, North Carolina, project to carry out current projects in Richmond County.

Section 120. The conference agreement includes language regarding the project for clearing and snagging in Deep River, near Lake Station, Indiana.

Section 121. The conference agreement includes a technical correction to Section 117 of H.R. 2754, the Energy and Water Development Appropriations Act, 2004, relating to the Idaho, Montana, Rural Nevada, New Mexico, and Rural Utah project.

Section 122. The conference agreement includes language providing for the use of available funds from the Savannah Harbor Deepening Project, Savannah, Georgia, for the Savannah Harbor Expansion Project.

Section 123. The conference agreement includes language regarding the Columbia River Channel Improvements project in Oregon and Washington.

Section 124. The conference agreement includes language directing the Corps of Engineers to proceed with work to complete the Stillwater, Minnesota, project.

Black Warrior and Tombigbee Rivers, Alabama.—The conference agreement on H.R. 2754, the fiscal year 2004 Energy and Water Development Appropriations Act, included an additional $1,500,000 for operation and maintenance of the Black Warrior and Tombigbee Rivers, Alabama, project. Of those funds, $1,000,000 is to be used to fund the evaluation of a plan for the relocation of project offices to Tuscaloosa, Alabama.

Section 125. The conference agreement clarifies that an additional $166,100,000 is provided in the Energy and Water Development Appropriations Act, 2004, for offsetting collections for purchase power and wheeling expenses.

ENERGY SUPPLY

RENEWABLE ENERGY RESOURCES

In calculating the non-Federal match commitment required for the Upper Lynn Canal, Alaska, project, non-Federal resources including cash, personnel, services, and equipment expended in the last two fiscal years shall be included in determining whether the non-Federal match requirement has been fulfilled.

Biomass/biofuels.—The $960,000 earmark for the Mount Mass CC Bio Wood Gasification Project provided for in the statement of managers accompanying H.R. 2754 should be properly titled as the Mount Wachusett Community College Biomass Wood Gasification Project.

NUCLEAR ENERGY

Program Direction.—Of the amount made available for program direction in the statement of managers accompanying H.R. 2754, $34,237,000 is assigned to the 050 budget function.

SCIENCE

Biological and Environmental Research.—The statement of managers accompanying H.R. 2754 providing $5,000,000 for the development of new molecular imaging probes is further clarified to apply to programs that bring together PET imaging, systems biology and nanotechnology to develop new molecular imaging probes. These probes should provide a biological diagnosis of disease that is informative of the molecular basis of disease and specific for guiding the development of new molecular therapies. The programs must bring together chemists, physicists, biologists, and imaging scientists to produce new technologies and science in the stated area. The particular disease orientation is in cancers such as breast, prostrate, colorectal, melanoma and degenerative neurological disorders such as Alzheimer's and Parkinson's diseases.

In addition, the $1,000,000 earmark for the Carnegie Mellon University Green Chemistry Project should be properly titled as the Carnegie Mellon University Advanced Building Efficiency Testbed Initiative.

Science Laboratories Infrastructure.—The statement of managers accompanying H.R. 2754 provides $1,000,000 for excess facilities disposal for the 88-inch cyclotron at the Lawrence Berkeley National Laboratory. If the Department of Energy decides to con-

tinue operating the 88-inch cyclotron during fiscal year 2004, the $1,000,000 should be applied to disposal of other excess facilities at the Lawrence Berkeley National Laboratory.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE SITE ACCELERATION COMPLETION

Accelerated Completions 2035.—The statement of managers accompanying H.R. 2754 indicates that the conference agreement provides $1,929,536,000 for Accelerated Completions, 2035, with the reduction of $49,061,000 below the request due to the Department-requested adjustment for Oak Ridge cleanup activities. The statement of managers should be amended to reflect that $31,851,000 of this reduction represents the Department-requested adjustment for Oak Ridge cleanup and $17,210,000 represents a reduction to the overall 2035 subaccount, not specific to Los Alamos, Oak Ridge, or any other 2035 cleanup site.

OTHER DEFENSE ACTIVITIES

Environment, Safety and Health (Defense).—Of the funds made available for transfer to the National Institute for Occupational Safety and Health for epidemiological studies in the statement of managers accompanying H.R. 2754, $7,500,000 shall be applied to conduct epidemiological research and other activities to establish the scientific link between radiation exposure and the occurrence of chronic lymphocytic leukemia.

Section 127. The conference agreement includes language related to Sandia National Laboratories in New Mexico.

Section 128. The conference agreement includes language modifying Section 312 of the Energy and Water Development Appropriations Act, 2004, and Section 634 of the Energy Policy Act of 2003 regarding the classification of certain materials as "11e.(2) byproduct materials".

Section 129. The conference agreement includes language making technical corrections to H.R. 6, the Energy Policy Act.

Section 130. The conference agreement includes an additional $50,000,000 to the Department of Energy's Office of Science to begin work on the Coralville, Iowa project.

Section 131. The conference agreement includes $250,000 for Biological Sciences at DePaul University; $500,000 for the Cedars-Sinai Gene Therapy Research Program; and $500,000 for the Hartford Hospital Interventional Electrophysiology Project.

Section 132. The conference agreement includes $750,000 for the Energy Center of Wisconsin Renewable Fuels Project; $500,000 for the Wind Energy Transmission Study; $250,000 for the White Pine County, Nevada, Public School System biomass conversion heating project; $250,000 for the Lead Animal Shelter Animal Campus renewable energy demonstration project; $3,000,000 for the establishment of a Hawaii Hydrogen Center for Development and Deployment of Distributed Energy Systems; and $250,000 for the Eastern Nevada Landscape Coalition for biomass restoration and science-based restoration.

Section 133. The conferees have included additional funding in specified amounts for certain Army Corps of Engineers Construction, General, projects, including, for the Red River Below Denison Dam, Arkansas, project, $1,250,000; for the Red River Red River Emergency, Arkansas, project, $1,750,000; for the Napa River, California, project, $2,750,000; for the Chicago Shoreline, Illinois, project, $1,000,000; for the McCook and Thornton Reservoirs, Illinois, project, $1,000,000; for the Inner Harbor Navigation Canal Lock, project, $1,000,000; Fort Peck Fish Hatchery, Montana, $1,000,000; for the Passaic River Streambank Restoration (Minish Park), New Jersey, project, $1,000,000; and for the Grand Forks—East Grand Forks, MN, project, $3,000,000.

Section 135. The conferees agree to extend the Pre-Disaster Mitigation Program authorization by one year to December 31, 2004.

Section 136. The conferees agree to extend the National Flood Insurance Program authorization by six months to June 30, 2004.

Section 137. The conference agreement includes a provision that modifies the Maritime Transportation Security Act of 2002 as it relates to fishing agreements.

The conference agreement includes technical corrections to the fiscal year 2004 Interior and Related Agencies Appropriations Act, Public Law 108–108, related to two statutory citations in the Bureau of Indian Affairs "Construction" account.

The conference agreement includes technical corrections to the Congaree National Park Boundary Revision in Public Law 94–545, to retain the current classification of the park under section 162 of the Clean Air Act and to change the name of the Congaree Swamp National Monument Wilderness to the "Congaree National Park Wilderness".

The conference agreement includes a technical correction to section 123 of the fiscal year 2004 Interior and Related Agencies Appropriations Act, Public Law 108–108, to ensure that the National Park Service can provide a grant to the Shenandoah Valley Battlefield Foundation for continued land acquisition in the Shenandoah Valley Battlefields National Historic District.

The conference agreement includes a provision setting a November 18, 2007, date for the termination of the Delaware and Lehigh National Heritage Corridor Commission.

The conference agreement corrects a citation in Title IV of the fiscal year 2004 Interior and Related Agencies Appropriations Act, Public Law 108–108.

The conference agreement includes a provision reallocating certain funds provided to the Indian Health Service for alcohol control, enforcement, prevention, treatment, sobriety and wellness, and education in Alaska.

The conference agreement includes technical corrections to section 344 of the fiscal year 2004 Interior and Related Agencies Appropriations Act, Public Law 108–108: (1) clarifying that the across the board reduction to accounts in the Act does not apply to emergency requirements pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent budget resolution on the budget for fiscal year 2004, and (2) allowing the Secretary of the Interior to use her discretion in applying the reduction within the Indian

Land and Water Claim Settlements and Miscellaneous Payments to Indians account.

The conference agreement establishes the Theodore Roosevelt National Wildlife Refuge in Mississippi; authorizes the construction, by the U.S. Army Corps of Engineers, of an education center on the refuge; changes the name of the Bogue Phalia Unit of the Yazoo National Wildlife Refuge to the "Holt Collier National Wildlife Refuge"; and changes the name of the Central Mississippi National Wildlife Refuge Complex to the "Theodore Roosevelt National Wildlife Refuge Complex".

The conference agreement amends section 386 of the Energy Policy Act of 2003 to permit the consideration of an option providing a loan guarantee for a liquefied natural gas transportation project in Alaska.

The conference agreement amends the Alaska National Interest Lands Conservation Act to authorize the use of funds to pay certain expenses after the death of certain Department of the Interior employees in Alaska.

The conference agreement establishes the Office of Native Hawaiian Relations within the Office of the Secretary of the Interior and appropriates $100,000 for that office.

The conference agreement permits the Assiniboine and Sioux tribes of the Fort Peck Indian Reservation in Montana to lease tribally owned land for interstate natural gas pipelines.

The conference agreement authorizes the National Park Service to purchase, from willing sellers, Fern Lake and its surrounding watershed, approximately 4,500 acres, for inclusion in the Cumberland Gap National Historical Park. This will ensure the protection of Fern Lake as the sole water source for the city of Middlesboro, Kentucky.

The Smithsonian Institution should continue planning, administration and other activities required for the establishment of the National Museum of African-American History and Culture. The Smithsonian Institution should use General Service Administration consulting contracts to help evaluate the four sites under consideration.

Sec. 151 authorizes the Attending Physician to Congress to have authority and responsibility for overseeing and coordinating the use of medical assets in response to a bioterrorism event and other medical contingencies or public health emergencies.

Sec. 152 authorizes the Architect of the Capitol to lease any portion of the real property located at 449 South Capitol Street Southwest, DC for the use of the United States Capitol Police.

Sec. 153 establishes the United States Senate-China Interparliamentary Group.

Sec. 154 establishes the United States Senate-Russia Interparliamentary Group.

Sec. 155 is a provision regarding the expenses of the Chaplain of the Senate.

Sec. 157. Pension Plan Parity.—The conference agreement includes a provision directing the Pension Benefit Guaranty Corporation to restore certain guaranteed pension benefits. Neither the House nor the Senate bills contained these provisions.

VISION REHABILITATION

The Secretary of the Department of Health and Human Services is directed to carry out a nationwide outpatient vision rehabilitation services demonstration project. The purpose of this demonstration project is to examine the impact of standardized national coverage for vision rehabilitation services provided in the home by physicians, occupational therapists and certified vision rehabilitation teachers.

This demonstration project should be conducted over a period of five years beginning July 1, 2004. The Secretary shall expend from available funds appropriated to him in FY 2004, including transfers authorized under existing authorities from the Federal Supplementary Insurance Trust Fund, an amount not to exceed $2 million for FY 2004 to carry out this demonstration project.

Sec. 158. The conference agreement includes a general provision, which appropriates $9,692,000 to the Department of Defense Family Housing Improvement Fund and offsets the appropriation with a rescission in the same amount from the "Foreign Currency Fluctuations, Construction, Defense" account.

Sec. 159. The conferees agree to provide an additional amount of $1,000,000,000 for requirements payments to states under the Help America Vote Act.

Sec. 160 designates the courthouse at 333 Lomas Boulevard in New Mexico as the "Pete V. Domenici United States Courthouse."

Sec. 161 requires the Director, Office of Management and Budget to consult with Alaska Native corporations on the same basis as Indian tribes under Executive Order 13175.

Sec. 162 provides a total of $50,000,000 from the highway trust fund for the reconstruction of the Treasure Island Bridge in Florida and for plaza design and road improvements at the John F. Kennedy Center in Washington, D.C.

Sec. 163 extends the Japanese Imperial Government Disclosure Act for one additional year.

Cash balance plans.—The conference agreement on the Departments of Transportation and Treasury, and Independent Agencies Appropriations Act, 2004 directs the Secretary of the Treasury to prepare a legislative proposal that would provide transition relief to older and longer service participants affected by conversions from traditional defined benefit plans to cash balance plans. The conference agreement also prohibits the use of funds to complete certain regulations pending at the Treasury Department. The purpose of this prohibition is not to call into question the validity of hybrid pension plan designs (cash balance and pension equity). The purpose of the prohibition is to preserve the status quo with respect to conversions through the entirety of fiscal year 2004 while the applicable committees of jurisdiction review the Treasury Department's legislative proposals.

Sec. 164. The conference agreement includes a provision related to the distribution of certain Department of Housing and Urban Development block grant funds to Alaska Native recipients.

Sec. 168. The conference agreement includes a rescission of $1,800,000,000 of funds made available to the Department of Defense and made available in P.L. 107–38 and P.L. 107–117, as well

as a 0.59 percent across-the-board rescission to discretionary budgetary resources provided in fiscal year 2004 regular appropriations Acts (except Defense and Military Construction), as well as to any previously enacted fiscal year 2004 advance appropriation.

BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
FRANK R. WOLF
(except for section 617 of Division B),
JAMES T. WALSH,
DAVE HOBSON,
HENRY BONILLA,
JACK KINGSTON,
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TOM LATHAM,
VIRGIL GOODE,
RAY LAHOOD,
JOHN P. MURTHA,
Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
CHRISTOPHER BOND,
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CONRAD BURNS,
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