

Union Calendar No. 93

109TH CONGRESS
1ST SESSION

H. R. 3058

[Report No. 109-153]

Making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2005

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

A BILL

Making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

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

1 Departments of Transportation, Treasury, and Housing
2 and Urban Development, the Judiciary, District of Colum-
3 bia, and independent agencies for the fiscal year ending
4 September 30, 2006, and for other purposes, namely:

5

TITLE I

6

DEPARTMENT OF TRANSPORTATION

7

OFFICE OF THE SECRETARY

8

SALARIES AND EXPENSES

9

For necessary expenses of the Office of the Secretary,
10 \$84,913,000, of which not to exceed \$2,198,000 shall be
11 available for the immediate Office of the Secretary; not
12 to exceed \$698,000 shall be available for the immediate
13 Office of the Deputy Secretary; not to exceed \$15,183,000
14 shall be available for the Office of the General Counsel;
15 not to exceed \$11,680,000 shall be available for the Office
16 of the Under Secretary of Transportation for Policy; not
17 to exceed \$7,593,000 shall be available for the Office of
18 the Assistant Secretary for Budget and Programs; not to
19 exceed \$2,052,000 shall be available for the Office of the
20 Assistant Secretary for Governmental Affairs; not to ex-
21 ceed \$23,139,000 shall be available for the Office of the
22 Assistant Secretary for Administration; not to exceed
23 \$1,910,000 shall be available for the Office of Public Af-
24 fairs; not to exceed \$1,442,000 shall be available for the
25 Office of the Executive Secretariat; not to exceed

1 \$697,000 shall be available for the Board of Contract Ap-
2 peals; not to exceed \$1,265,000 shall be available for the
3 Office of Small and Disadvantaged Business Utilization;
4 not to exceed \$2,033,000 for the Office of Intelligence and
5 Security; not to exceed \$3,128,000 shall be available for
6 the Office of Emergency Transportation; and not to ex-
7 ceed \$11,895,000 shall be available for the Office of the
8 Chief Information Officer: *Provided*, That the Secretary
9 of Transportation is authorized to transfer funds appro-
10 priated for any office of the Office of the Secretary to any
11 other office of the Office of the Secretary: *Provided fur-*
12 *ther*, That no appropriation for any office shall be in-
13 creased or decreased by more than 5 percent by all such
14 transfers: *Provided further*, That notice of any change in
15 funding greater than 5 percent shall be submitted for ap-
16 proval to the House and Senate Committees on Appropria-
17 tions: *Provided further*, That not to exceed \$60,000 shall
18 be for allocation within the Department for official recep-
19 tion and representation expenses as the Secretary may de-
20 termine: *Provided further*, That notwithstanding any other
21 provision of law, excluding fees authorized in Public Law
22 107–71, there may be credited to this appropriation up
23 to \$2,500,000 in funds received in user fees: *Provided fur-*
24 *ther*, That none of the funds provided in this Act shall

1 be available for the position of Assistant Secretary for
2 Public Affairs.

3 OFFICE OF CIVIL RIGHTS

4 For necessary expenses of the Office of Civil Rights,
5 \$8,550,000.

6 TRANSPORTATION PLANNING, RESEARCH, AND

7 DEVELOPMENT

8 For necessary expenses for conducting transportation
9 planning, research, systems development, development ac-
10 tivities, and making grants, to remain available until ex-
11 pended, \$40,613,000.

12 WORKING CAPITAL FUND

13 Necessary expenses for operating costs and capital
14 outlays of the Working Capital Fund, not to exceed
15 \$120,014,000, shall be paid from appropriations made
16 available to the Department of Transportation: *Provided*,
17 That such services shall be provided on a competitive basis
18 to entities within the Department of Transportation: *Pro-*
19 *vided further*, That the above limitation on operating ex-
20 penses shall not apply to non-DOT entities: *Provided fur-*
21 *ther*, That no funds appropriated in this Act to an agency
22 of the Department shall be transferred to the Working
23 Capital Fund without the approval of the agency modal
24 administrator: *Provided further*, That no assessments may
25 be levied against any program, budget activity, subactivity
26 or project funded by this Act unless notice of such assess-

1 ments and the basis therefor are presented to the House
2 and Senate Committees on Appropriations and are ap-
3 proved by such Committees.

4 MINORITY BUSINESS RESOURCE CENTER PROGRAM

5 For the cost of guaranteed loans, \$500,000, as au-
6 thorized by 49 U.S.C. 332: *Provided*, That such costs, in-
7 cluding the cost of modifying such loans, shall be as de-
8 fined in section 502 of the Congressional Budget Act of
9 1974: *Provided further*, That these funds are available to
10 subsidize total loan principal, any part of which is to be
11 guaranteed, not to exceed \$18,367,000. In addition, for
12 administrative expenses to carry out the guaranteed loan
13 program, \$400,000.

14 MINORITY BUSINESS OUTREACH

15 For necessary expenses of Minority Business Re-
16 source Center outreach activities, \$3,000,000, to remain
17 available until September 30, 2007: *Provided*, That not-
18 withstanding 49 U.S.C. 332, these funds may be used for
19 business opportunities related to any mode of transpor-
20 tation.

21 PAYMENTS TO AIR CARRIERS

22 (AIRPORT AND AIRWAY TRUST FUND)

23 In addition to funds made available from any other
24 source to carry out the essential air service program under
25 49 U.S.C. 41731–41742, \$54,000,000, to be derived from
26 the Airport and Airway Trust Fund and to remain avail-

1 able until expended: *Provided*, That the Secretary may
2 transfer amounts appropriated to the Federal Aviation
3 Administration under any heading in this Act or otherwise
4 available to the Federal Aviation Administration, to make
5 such amounts available for obligation and expenditure for
6 the essential air service program, in satisfaction of the re-
7 quirements of section 41742(a)(1) of title 49, United
8 States Code, in advance of the collection of fees under sec-
9 tion 45301 of title 49, United States Code: *Provided fur-*
10 *ther*, That the Secretary shall reimburse such amounts to
11 the Federal Aviation Administration proportionally by
12 transfer, to the extent possible, from amounts credited to
13 the account established under section 45303 of title 49,
14 United States Code, as such fees are collected during the
15 fiscal year: *Provided further*, That, in determining between
16 or among carriers competing to provide service to a com-
17 munity, the Secretary may consider the relative subsidy
18 requirements of the carriers.

19 NEW HEADQUARTERS BUILDING

20 For necessary expenses of the Department of Trans-
21 portation's new headquarters building and related serv-
22 ices, \$100,000,000, to remain available until expended.

23 FEDERAL AVIATION ADMINISTRATION

24 OPERATIONS

25 For necessary expenses of the Federal Aviation Ad-
26 ministration, not otherwise provided for, including oper-

1 ations and research activities related to commercial space
2 transportation, administrative expenses for research and
3 development, establishment of air navigation facilities, the
4 operation (including leasing) and maintenance of aircraft,
5 subsidizing the cost of aeronautical charts and maps sold
6 to the public, lease or purchase of passenger motor vehi-
7 cles for replacement only, in addition to amounts made
8 available by Public Law 108–176, \$8,042,920,000, of
9 which \$4,986,000,000 shall be derived from the Airport
10 and Airway Trust Fund, of which not to exceed
11 \$6,424,229,000 shall be available for air traffic services
12 activities; not to exceed \$951,042,000 shall be available
13 for aviation regulation and certification activities; not to
14 exceed \$222,171,000 shall be available for research and
15 acquisition activities; not to exceed \$11,759,000 shall be
16 available for commercial space transportation activities;
17 not to exceed \$50,583,000 shall be available for financial
18 services activities; not to exceed \$69,943,000 shall be
19 available for human resources program activities; not to
20 exceed \$150,744,000 shall be available for region and cen-
21 ter operations and regional coordination activities; not to
22 exceed \$140,337,000 shall be available for staff offices;
23 and not to exceed \$36,612,000 shall be available for infor-
24 mation services: *Provided*, That none of the funds in this
25 Act shall be available for the Federal Aviation Administra-

1 tion to finalize or implement any regulation that would
2 promulgate new aviation user fees not specifically author-
3 ized by law after the date of the enactment of this Act:
4 *Provided further*, That there may be credited to this appro-
5 priation funds received from States, counties, municipali-
6 ties, foreign authorities, other public authorities, and pri-
7 vate sources, for expenses incurred in the provision of
8 agency services, including receipts for the maintenance
9 and operation of air navigation facilities, and for issuance,
10 renewal or modification of certificates, including airman,
11 aircraft, and repair station certificates, or for tests related
12 thereto, or for processing major repair or alteration forms:
13 *Provided further*, That of the funds appropriated under
14 this heading, not less than \$7,500,000 shall be for the
15 contract tower cost-sharing program: *Provided further*,
16 That funds may be used to enter into a grant agreement
17 with a nonprofit standard-setting organization to assist in
18 the development of aviation safety standards: *Provided*
19 *further*, That none of the funds in this Act shall be avail-
20 able for new applicants for the second career training pro-
21 gram: *Provided further*, That none of the funds in this Act
22 shall be available for paying premium pay under 5 U.S.C.
23 5546(a) to any Federal Aviation Administration employee
24 unless such employee actually performed work during the
25 time corresponding to such premium pay: *Provided fur-*

1 *ther*, That none of the funds in this Act may be obligated
2 or expended to operate a manned auxiliary flight service
3 station in the contiguous United States: *Provided further*,
4 That none of the funds in this Act for aeronautical chart-
5 ing and cartography are available for activities conducted
6 by, or coordinated through, the Working Capital Fund:
7 *Provided further*, That none of the funds in this Act may
8 be obligated or expended for an employee of the Federal
9 Aviation Administration to purchase a store gift card or
10 gift certificate through use of a Government-issued credit
11 card. In addition, \$150,000,000 for transition costs asso-
12 ciated with OMB Circular A-76 Flight Service Station
13 competition.

14 FACILITIES AND EQUIPMENT

15 (AIRPORT AND AIRWAY TRUST FUND)

16 For necessary expenses, not otherwise provided for,
17 for acquisition, establishment, technical support services,
18 improvement by contract or purchase, and hire of air navi-
19 gation and experimental facilities and equipment, as au-
20 thorized under part A of subtitle VII of title 49, United
21 States Code, including initial acquisition of necessary sites
22 by lease or grant; engineering and service testing, includ-
23 ing construction of test facilities and acquisition of nec-
24 essary sites by lease or grant; construction and furnishing
25 of quarters and related accommodations for officers and
26 employees of the Federal Aviation Administration sta-

1 tioned at remote localities where such accommodations are
2 not available; and the purchase, lease, or transfer of air-
3 craft from funds available under this heading; to be de-
4 rived from the Airport and Airway Trust Fund,
5 \$3,053,000,000, of which \$2,618,000,000 shall remain
6 available until September 30, 2008, and of which
7 \$435,000,000 shall remain available until September 30,
8 2006: *Provided*, That there may be credited to this appro-
9 priation funds received from States, counties, municipali-
10 ties, other public authorities, and private sources, for ex-
11 penses incurred in the establishment and modernization
12 of air navigation facilities: *Provided further*, That upon ini-
13 tial submission to the Congress of the fiscal year 2007
14 President's budget, the Secretary of Transportation shall
15 transmit to the Congress a comprehensive capital invest-
16 ment plan for the Federal Aviation Administration which
17 includes funding for each budget line item for fiscal years
18 2007 through 2011, with total funding for each year of
19 the plan constrained to the funding targets for those years
20 as estimated and approved by the Office of Management
21 and Budget.

22 RESEARCH, ENGINEERING, AND DEVELOPMENT

23 (AIRPORT AND AIRWAY TRUST FUND)

24 For necessary expenses, not otherwise provided for,
25 for research, engineering, and development, as authorized
26 under part A of subtitle VII of title 49, United States

1 Code, including construction of experimental facilities and
2 acquisition of necessary sites by lease or grant,
3 \$130,000,000, to be derived from the Airport and Airway
4 Trust Fund and to remain available until September 30,
5 2008: *Provided*, That there may be credited to this appro-
6 priation funds received from States, counties, municipali-
7 ties, other public authorities, and private sources, for ex-
8 penses incurred for research, engineering, and develop-
9 ment.

10 GRANTS-IN-AID FOR AIRPORTS

11 (LIQUIDATION OF CONTRACT AUTHORIZATION)

12 (LIMITATION ON OBLIGATIONS)

13 (AIRPORT AND AIRWAY TRUST FUND)

14 (INCLUDING RESCISSION)

15 For liquidation of obligations incurred for grants-in-
16 aid for airport planning and development, and noise com-
17 patibility planning and programs as authorized under sub-
18 chapter I of chapter 471 and subchapter I of chapter 475
19 of title 49, United States Code, and under other law au-
20 thORIZING such obligations; for procurement, installation,
21 and commissioning of runway incursion prevention devices
22 and systems at airports of such title; for grants authorized
23 under section 41743 of title 49, United States Code; and
24 for inspection activities and administration of airport safe-
25 ty programs, including those related to airport operating
26 certificates under section 44706 of title 49, United States

1 Code, \$3,600,000,000 to be derived from the Airport and
2 Airway Trust Fund and to remain available until ex-
3 pended: *Provided*, That none of the funds under this head-
4 ing shall be available for the planning or execution of pro-
5 grams the obligations for which are in excess of
6 \$3,600,000,000 in fiscal year 2006, notwithstanding sec-
7 tion 47117(g) of title 49, United States Code: *Provided*
8 *further*, That none of the funds under this heading shall
9 be available for the replacement of baggage conveyor sys-
10 tems, reconfiguration of terminal baggage areas, or other
11 airport improvements that are necessary to install bulk ex-
12 plosive detection systems: *Provided further*, That notwith-
13 standing any other provision of law, not more than
14 \$81,346,584 of funds limited under this heading shall be
15 obligated for administration and not less than
16 \$20,000,000 shall be for the Small Community Air Service
17 Development Program: *Provided further*, That of the
18 amount authorized for the fiscal year ending September
19 30, 2005, under sections 48103 and 48112 of title 49,
20 United States Code, \$469,000,000 are rescinded.

21 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

22 ADMINISTRATION

23 SEC. 101. Notwithstanding any other provision of
24 law, airports may transfer without consideration to the
25 Federal Aviation Administration (FAA) instrument land-
26 ing systems (along with associated approach lighting

1 equipment and runway visual range equipment) which
2 conform to FAA design and performance specifications,
3 the purchase of which was assisted by a Federal airport-
4 aid program, airport development aid program or airport
5 improvement program grant: *Provided*, That, the Federal
6 Aviation Administration shall accept such equipment,
7 which shall thereafter be operated and maintained by FAA
8 in accordance with agency criteria.

9 SEC. 102. None of the funds in this Act may be used
10 to compensate in excess of 375 technical staff-years under
11 the federally funded research and development center con-
12 tract between the Federal Aviation Administration and the
13 Center for Advanced Aviation Systems Development dur-
14 ing fiscal year 2005.

15 SEC. 103. None of the funds in this Act shall be used
16 to pursue or adopt guidelines or regulations requiring air-
17 port sponsors to provide to the Federal Aviation Adminis-
18 tration without cost building construction, maintenance,
19 utilities and expenses, or space in airport sponsor-owned
20 buildings for services relating to air traffic control, air
21 navigation, or weather reporting: *Provided*, That the pro-
22 hibition of funds in this section does not apply to negotia-
23 tions between the agency and airport sponsors to achieve
24 agreement on “below-market” rates for these items or to
25 grant assurances that require airport sponsors to provide

1 land without cost to the FAA for air traffic control facili-
2 ties.

3 SEC. 104. None of the funds appropriated or limited
4 by this Act may be used to change weight restrictions or
5 prior permission rules at Teterboro Airport in Teterboro,
6 New Jersey.

7 SEC. 105. (a) Section 44302(f)(1) of title 49, United
8 States Code, is amended by striking “2005,” each place
9 it appears and inserting “2006,”.

10 (b) Section 44303(b) of such title is amended by
11 striking “2005,” and inserting “2006,”.

12 SEC. 106. None of the funds made available in this
13 Act shall be used for engineering work related to an addi-
14 tional runway at Louis Armstrong New Orleans Inter-
15 national Airport.

16 FEDERAL HIGHWAY ADMINISTRATION

17 LIMITATION ON ADMINISTRATIVE EXPENSES

18 Necessary expenses for administration and operation
19 of the Federal Highway Administration, not to exceed
20 \$359,529,000 shall be paid in accordance with law from
21 appropriations made available by this Act to the Federal
22 Highway Administration together with advances and reim-
23 bursements received by the Federal Highway Administra-
24 tion.

1 FEDERAL-AID HIGHWAYS
2 (LIMITATION ON OBLIGATIONS)
3 (HIGHWAY TRUST FUND)

4 None of the funds in this Act shall be available for
5 the implementation or execution of programs, the obliga-
6 tions for which are in excess of \$36,287,100,000 for Fed-
7 eral-aid highways and highway safety construction pro-
8 grams for fiscal year 2006: *Provided*, That within the
9 \$36,287,100,000 obligation limitation on Federal-aid
10 highways and highway safety construction programs, not
11 more than \$485,000,000 shall be available for the imple-
12 mentation or execution of programs for transportation re-
13 search (as authorized by title 23, United States Code, as
14 amended; section 5505 of title 49, United States Code,
15 as amended; and sections 5112 and 5204–5209 of Public
16 Law 105–178, as amended) for fiscal year 2006: *Provided*
17 *further*, That this limitation on transportation research
18 programs shall not apply to any authority previously made
19 available for obligation: *Provided further*, That the Sec-
20 retary may, as authorized by sections 183 and 184 of title
21 23, United States Code, charge and collect a fee, from
22 the applicant for a direct loan, guaranteed loan, or line
23 of credit to cover the cost of the financial and legal anal-
24 yses performed on behalf of the Department: *Provided fur-*
25 *ther*, That such fees are available until expended to pay
26 for such costs: *Provided further*, That such amounts are

1 in addition to administrative expenses that are also avail-
2 able for such purpose, and are not subject to any obliga-
3 tion limitation or the limitation on administrative expenses
4 under 23 U.S.C. 188.

5 FEDERAL-AID HIGHWAYS

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (HIGHWAY TRUST FUND)

8 Notwithstanding any other provision of law, for car-
9 rying out the provisions of title 23, United States Code,
10 that are attributable to Federal-aid highways, including
11 the National Scenic and Recreational Highway as author-
12 ized by 23 U.S.C. 148, not otherwise provided, including
13 reimbursement for sums expended pursuant to the provi-
14 sions of 23 U.S.C. 308, \$36,000,000,000 or so much
15 thereof as may be available in and derived from the High-
16 way Trust Fund (other than the Mass Transit Account),
17 to remain available until expended.

18 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

19 ADMINISTRATION

20 SEC. 110. (a) For fiscal year 2006, the Secretary of
21 Transportation shall—

22 (1) not distribute from the obligation limitation
23 for Federal-aid highways amounts authorized for ad-
24 ministrative expenses and programs funded from the
25 administrative takedown authorized by section
26 104(a)(1)(A) of title 23, United States Code, for the

1 highway use tax evasion program, and for the Bu-
2 reau of Transportation Statistics;

3 (2) not distribute an amount from the obliga-
4 tion limitation for Federal-aid highways that is equal
5 to the unobligated balance of amounts made avail-
6 able from the Highway Trust Fund (other than the
7 Mass Transit Account) for Federal-aid highways and
8 highway safety programs for the prior fiscal years
9 the funds for which are allocated by the Secretary;

10 (3) determine the ratio that—

11 (A) the obligation limitation for Federal-
12 aid Highways less the aggregate of amounts not
13 distributed under paragraphs (1) and (2), bears
14 to

15 (B) the total of the sums authorized to be
16 appropriated for Federal-aid highways and
17 highway safety construction programs (other
18 than sums authorized to be appropriated for
19 sections set forth in paragraphs (1) through (7)
20 of subsection (b) and sums authorized to be ap-
21 propriated for section 105 of title 23, United
22 States Code, equal to the amount referred to in
23 subsection (b)(8)) for such fiscal year less the
24 aggregate of the amounts not distributed under
25 paragraph (1) of this subsection;

1 (4) distribute the obligation limitation for Fed-
2 eral-aid highways less the aggregate amounts not
3 distributed under paragraphs (1) and (2) for section
4 201 of the Appalachian Regional Development Act
5 of 1965 and \$2,000,000,000 for such fiscal year
6 under section 105 of title 23, United States Code
7 (relating to minimum guarantee) so that the amount
8 of obligation authority available for each of such sec-
9 tions is equal to the amount determined by multi-
10 plying the ratio determined under paragraph (3) by
11 the sums authorized to be appropriated for such sec-
12 tion (except in the case of section 105,
13 \$2,000,000,000) for such fiscal year;

14 (5) distribute the obligation limitation provided
15 for Federal-aid highways less the aggregate amounts
16 not distributed under paragraphs (1) and (2) and
17 amounts distributed under paragraph (4) for each of
18 the programs that are allocated by the Secretary
19 under title 23, United States Code (other than ac-
20 tivities to which paragraph (1) applies and programs
21 to which paragraph (4) applies) by multiplying the
22 ratio determined under paragraph (3) by the sums
23 authorized to be appropriated for such program for
24 such fiscal year; and

1 (6) distribute the obligation limitation provided
2 for Federal-aid highways less the aggregate amounts
3 not distributed under paragraphs (1) and (2) and
4 amounts distributed under paragraphs (4) and (5)
5 for Federal-aid highways and highway safety con-
6 struction programs (other than the minimum guar-
7 antee program, but only to the extent that amounts
8 apportioned for the minimum guarantee program for
9 such fiscal year exceed \$2,639,000,000, and the Ap-
10 palachian development highway system program)
11 that are apportioned by the Secretary under title 23,
12 United States Code, in the ratio that—

13 (A) sums authorized to be appropriated for
14 such programs that are apportioned to each
15 State for such fiscal year, bear to

16 (B) the total of the sums authorized to be
17 appropriated for such programs that are appor-
18 tioned to all States for such fiscal year.

19 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—
20 The obligation limitation for Federal-aid highways shall
21 not apply to obligations: (1) under section 125 of title 23,
22 United States Code; (2) under section 147 of the Surface
23 Transportation Assistance Act of 1978; (3) under section
24 9 of the Federal-Aid Highway Act of 1981; (4) under sec-
25 tions 131(b) and 131(j) of the Surface Transportation As-

1 sistance Act of 1982; (5) under sections 149(b) and
2 149(c) of the Surface Transportation and Uniform Relo-
3 cation Assistance Act of 1987; (6) under sections 1103
4 through 1108 of the Intermodal Surface Transportation
5 Efficiency Act of 1991; (7) under section 157 of title 23,
6 United States Code, as in effect on the day before the date
7 of the enactment of the Transportation Equity Act for the
8 21st Century; (8) under section 105 of title 23, United
9 States Code (but, only in an amount equal to
10 \$639,000,000 for such fiscal year); and (9) for Federal-
11 aid highway programs for which obligation authority was
12 made available under the Transportation Equity Act for
13 the 21st Century or subsequent public laws for multiple
14 years or to remain available until used, but only to the
15 extent that such obligation authority has not lapsed or
16 been used.

17 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
18 THORITY.—Notwithstanding subsection (a), the Secretary
19 shall after August 1 for such fiscal year revise a distribu-
20 tion of the obligation limitation made available under sub-
21 section (a) if a State will not obligate the amount distrib-
22 uted during that fiscal year and redistribute sufficient
23 amounts to those States able to obligate amounts in addi-
24 tion to those previously distributed during that fiscal year
25 giving priority to those States having large unobligated

1 balances of funds apportioned under sections 104 and 144
2 of title 23, United States Code, section 160 (as in effect
3 on the day before the enactment of the Transportation Eq-
4 uity Act for the 21st Century) of title 23, United States
5 Code, and under section 1015 of the Intermodal Surface
6 Transportation Efficiency Act of 1991.

7 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO
8 TRANSPORTATION RESEARCH PROGRAMS.—The obliga-
9 tion limitation shall apply to transportation research pro-
10 grams carried out under chapter 5 of title 23, United
11 States Code, except that obligation authority made avail-
12 able for such programs under such limitation shall remain
13 available for a period of 3 fiscal years.

14 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
15 FUNDS.—Not later than 30 days after the date of the dis-
16 tribution of obligation limitation under subsection (a), the
17 Secretary shall distribute to the States any funds: (1) that
18 are authorized to be appropriated for such fiscal year for
19 Federal-aid highways programs (other than the program
20 under section 160 of title 23, United States Code) and
21 for carrying out subchapter I of chapter 311 of title 49,
22 United States Code, and highway-related programs under
23 chapter 4 of title 23, United States Code; and (2) that
24 the Secretary determines will not be allocated to the
25 States, and will not be available for obligation, in such

1 fiscal year due to the imposition of any obligation limita-
2 tion for such fiscal year. Such distribution to the States
3 shall be made in the same ratio as the distribution of obli-
4 gation authority under subsection (a)(6). The funds so
5 distributed shall be available for any purposes described
6 in section 133(b) of title 23, United States Code.

7 (f) SPECIAL RULE.—Obligation limitation distributed
8 for a fiscal year under subsection (a)(4) of this section
9 for a section set forth in subsection (a)(4) shall remain
10 available until used and shall be in addition to the amount
11 of any limitation imposed on obligations for Federal-aid
12 highway and highway safety construction programs for fu-
13 ture fiscal years.

14 SEC. 111. Notwithstanding 31 U.S.C. 3302, funds re-
15 ceived by the Bureau of Transportation Statistics from the
16 sale of data products, for necessary expenses incurred pur-
17 suant to 49 U.S.C. 111 may be credited to the Federal-
18 aid highways account for the purpose of reimbursing the
19 Bureau for such expenses: *Provided*, That such funds shall
20 be subject to the obligation limitation for Federal-aid
21 highways and highway safety construction.

22 SEC. 112. BYPASS BRIDGE AT HOOVER DAM. (a) IN
23 GENERAL.—Subject to subsection (b), the Secretary of
24 Transportation may expend from any funds appropriated
25 for expenditure in accordance with title 23, United States

1 Code, for payment of debt service by the States of Arizona
 2 and Nevada on notes issued for the bypass bridge project
 3 at Hoover Dam, pending appropriation or replenishment
 4 for that project.

5 (b) REIMBURSEMENT.—Funds expended under sub-
 6 section (a) shall be reimbursed from the funds made avail-
 7 able to the States of Arizona and Nevada for payment of
 8 debt service on notes issued for the bypass bridge project
 9 at Hoover Dam.

10 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

11 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

12 (LIMITATION ON OBLIGATIONS)

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (HIGHWAY TRUST FUND)

15 (INCLUDING TRANSFER OF FUNDS)

16 None of the funds provided for expenses for adminis-
 17 tration of motor carrier safety programs and motor carrier
 18 safety research shall be available for fiscal year 2006, the
 19 obligations for which are in excess of \$215,000,000: *Pro-*
 20 *vided*, That for payment of obligations incurred to pay ad-
 21 ministrative expenses of and motor carrier research by the
 22 Federal Motor Carrier Safety Administration,
 23 \$215,000,000, to be derived from the Highway Trust
 24 Fund (other than the Mass Transit Account), together
 25 with advances and reimbursements received by the Fed-

1 eral Motor Carrier Safety Administration, the sum of
2 which shall remain available until expended.

3 NATIONAL MOTOR CARRIER SAFETY PROGRAM

4 LIQUIDATION OF CONTRACT AUTHORIZATION

5 (LIMITATION ON OBLIGATIONS)

6 (HIGHWAY TRUST FUND)

7 For payment of obligations incurred in carrying out
8 motor carrier safety grant programs in accordance with
9 title 49, United States Code, \$286,000,000, to be derived
10 from the Highway Trust Fund (other than the Mass Tran-
11 sit Account) and to remain available until expended: *Pro-*
12 *vided*, That none of the funds provided for the implemen-
13 tation or execution of motor carrier safety grant programs
14 authorized by title 49, United States Code, shall be avail-
15 able for fiscal year 2006, the obligations for which are in
16 excess of \$286,000,000.

17 ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER

18 SAFETY ADMINISTRATION

19 SEC. 120. Funds appropriated or limited in this Act
20 shall be subject to the terms and conditions stipulated in
21 section 350 of Public Law 107–87, including that the Sec-
22 retary submit a report to the House and Senate Appro-
23 priations Committees annually on the safety and security
24 of transportation into the United States by Mexico-domi-
25 ciled motor carriers.

1 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
2 OPERATIONS AND RESEARCH

3 For expenses necessary to discharge the functions of
4 the Secretary, with respect to traffic and highway safety
5 under chapter 301 of title 49, United States Code, and
6 part C of subtitle VI of title 49, United States Code,
7 \$152,367,000, of which \$135,367,000 is to remain avail-
8 able until September 30, 2008, and \$17,000,000 is to re-
9 main available until expended: *Provided*, That none of the
10 funds appropriated by this Act may be obligated or ex-
11 pended to plan, finalize, or implement any rulemaking to
12 add to section 575.104 of title 49 of the Code of Federal
13 Regulations any requirement pertaining to a grading
14 standard that is different from the three grading stand-
15 ards (treadwear, traction, and temperature resistance) al-
16 ready in effect.

17 OPERATIONS AND RESEARCH
18 (LIQUIDATION OF CONTRACT AUTHORIZATION)
19 (LIMITATION ON OBLIGATIONS)
20 (HIGHWAY TRUST FUND)

21 For payment of obligations incurred in carrying out
22 the provisions of 23 U.S.C. 403, to remain available until
23 expended, \$75,000,000, to be derived from the Highway
24 Trust Fund: *Provided*, That none of the funds in this Act
25 shall be available for the planning or execution of pro-
26 grams the total obligations for which, in fiscal year 2006,

1 are in excess of \$75,000,000 for programs authorized
2 under 23 U.S.C. 403.

3 NATIONAL DRIVER REGISTER
4 (LIQUIDATION OF CONTRACT AUTHORIZATION)
5 (LIMITATION ON OBLIGATIONS)
6 (HIGHWAY TRUST FUND)

7 For payment of obligations incurred in carrying out
8 chapter 303 of title 49, United States Code, \$4,000,000,
9 to be derived from the Highway Trust Fund: *Provided*,
10 That none of the funds in this Act shall be available for
11 the implementation or execution of programs the obliga-
12 tions for which are in excess of \$4,000,000 for the Na-
13 tional Driver Register authorized under chapter 303 of
14 title 49, United States Code.

15 HIGHWAY TRAFFIC SAFETY GRANTS
16 (LIQUIDATION OF CONTRACT AUTHORIZATION)
17 (LIMITATION ON OBLIGATIONS)
18 (HIGHWAY TRUST FUND)

19 For payment of obligations incurred in carrying out
20 the provisions of 23 U.S.C. 402, 405, and 410, to remain
21 available until expended, \$551,000,000 to be derived from
22 the Highway Trust Fund and to remain available until
23 expended: *Provided*, That none of the funds in this Act
24 shall be available for the planning or execution of pro-
25 grams the total obligations for which, in fiscal year 2006,
26 are in excess of \$551,000,000 for programs authorized

1 under 23 U.S.C. 402, 405, and 410, and the State Traffic
2 Safety Information Systems Improvements, High Visi-
3 bility Enforcement, Child Safety and Booster Seat, and
4 Motorcyclist Safety grants programs, to be allocated as
5 follows: \$229,000,000 shall be for “Highway Safety Pro-
6 grams” under 23 U.S.C. 402, \$136,000,000 shall be for
7 “Occupant Protection Incentive Grants” under 23 U.S.C.
8 405, \$129,000,000 shall be for “Alcohol-Impaired Driving
9 Countermeasures Grants” under 23 U.S.C. 410,
10 \$30,000,000 shall be for State Traffic Safety Information
11 Systems Improvement grants, \$15,000,000 shall be for
12 High Visibility Enforcement grants, \$6,000,000 shall be
13 for Child Safety and Booster Seat grants, and \$6,000,000
14 shall be for Motorcyclist Safety grants: *Provided further,*
15 That none of these funds shall be used for construction,
16 rehabilitation, or remodeling costs, or for office fur-
17 nishings and fixtures for State, local, or private buildings
18 or structures: *Provided further,* That not to exceed
19 \$10,000,000 of the funds made available for section 402,
20 not to exceed \$3,306,000 of the funds made available for
21 section 405, and not to exceed \$3,000,000 of the funds
22 made available for section 410 shall be available to
23 NHTSA for administering highway safety grants under
24 chapter 4 of title 23, United States Code: *Provided further,*
25 That not to exceed \$500,000 of the funds made available

1 for section 410 “Alcohol-Impaired Driving Counter-
2 measures Grants” shall be available for technical assist-
3 ance to the States.

4 ADMINISTRATIVE PROVISION—NATIONAL HIGHWAY

5 TRAFFIC SAFETY ADMINISTRATION

6 SEC. 130. Notwithstanding any other provision of
7 law, States may use funds provided in this Act under sec-
8 tion 402 of title 23, United States Code, to produce and
9 place highway safety public service messages in television,
10 radio, cinema, and print media, and on the Internet in
11 accordance with guidance issued by the Secretary of
12 Transportation: *Provided*, That any State that uses funds
13 for such public service messages shall submit to the Sec-
14 retary a report describing and assessing the effectiveness
15 of the messages: *Provided further*, That \$10,000,000 of
16 the funds allocated under section 405 of title 23, United
17 States Code, shall be used as directed by the National
18 Highway Traffic Safety Administrator to purchase na-
19 tional paid advertising (including production and place-
20 ment) to support national safety belt mobilizations: *Pro-*
21 *vided further*, That, of the funds allocated under section
22 410 of title 23, United States Code, \$6,000,000 shall be
23 used as directed by the Administrator to support national
24 impaired driving mobilizations and enforcement efforts,
25 \$14,000,000 shall be used as directed by the Adminis-
26 trator to purchase national paid advertising (including

1 production and placement) to support such national im-
2 paired driving mobilizations and enforcement efforts.

3 FEDERAL RAILROAD ADMINISTRATION

4 SAFETY AND OPERATIONS

5 For necessary expenses of the Federal Railroad Ad-
6 ministration, not otherwise provided for, \$145,949,000, of
7 which \$13,856,000 shall remain available until expended.

8 RAILROAD RESEARCH AND DEVELOPMENT

9 For necessary expenses for railroad research and de-
10 velopment, \$26,325,000, to remain available until ex-
11 pended.

12 RAILROAD REHABILITATION AND IMPROVEMENT

13 PROGRAM

14 The Secretary of Transportation is authorized to
15 issue to the Secretary of the Treasury notes or other obli-
16 gations pursuant to section 512 of the Railroad Revitaliza-
17 tion and Regulatory Reform Act of 1976 (Public Law 94-
18 210), as amended, in such amounts and at such times as
19 may be necessary to pay any amounts required pursuant
20 to the guarantee of the principal amount of obligations
21 under sections 511 through 513 of such Act, such author-
22 ity to exist as long as any such guaranteed obligation is
23 outstanding: *Provided*, That pursuant to section 502 of
24 such Act, as amended, no new direct loans or loan guar-
25 antee commitments shall be made using Federal funds for
26 the credit risk premium during fiscal year 2006.

1 NEXT GENERATION HIGH-SPEED RAIL

2 For necessary expenses for the Next Generation
3 High-Speed Rail program as authorized under 49 U.S.C.
4 26101 and 26102, \$10,165,000, to remain available until
5 expended.

6 GRANTS TO THE NATIONAL RAILROAD PASSENGER

7 CORPORATION

8 To enable the Secretary of Transportation to make
9 quarterly grants to the National Railroad Passenger Cor-
10 poration, \$550,000,000, to remain available until Sep-
11 tember 30, 2006: *Provided*, That none of the funds herein
12 shall be available for the operation and maintenance of
13 routes RT16A, RT18, RT19, RT22, RT25, RT26, RT27,
14 RT28, RT30, RT32, RT33, RT34, RT45, RT48, RT52,
15 RT54, RT63, RT66, as in existence on May 1, 2005: *Pro-*
16 *vided further*, That of the funds provided, \$50,000,000
17 shall be used by the Secretary of Transportation to enter
18 into contracts to make improvements to the Northeast
19 Corridor, as authorized under chapters 241 and 249 of
20 title 49, United States Code.

21 ADMINISTRATIVE PROVISION—FEDERAL RAILROAD

22 ADMINISTRATION

23 SEC. 140. The Secretary may purchase promotional
24 items of nominal value for use in public outreach activities
25 to accomplish the purposes of 49 U.S.C. 20134: *Provided*,

1 That the Secretary shall prescribe guidelines for the ad-
2 ministration of such purchases and use.

3 FEDERAL TRANSIT ADMINISTRATION

4 ADMINISTRATIVE EXPENSES

5 For necessary administrative expenses of the Federal
6 Transit Administration's programs authorized by chapter
7 53 of title 49, United States Code, \$12,000,000: *Provided*,
8 That no more than \$80,000,000 of budget authority shall
9 be available for these purposes: *Provided further*, That of
10 the funds available not to exceed \$989,000 shall be avail-
11 able for the Office of the Administrator; not to exceed
12 \$7,284,000 shall be available for the Office of Administra-
13 tion; not to exceed \$4,140,000 shall be available for the
14 Office of the Chief Counsel; not to exceed \$1,276,000 shall
15 be available for the Office of Communication and Congres-
16 sional Affairs; not to exceed \$7,916,000 shall be available
17 for the Office of Program Management; not to exceed
18 \$7,123,000 shall be available for the Office of Budget and
19 Policy; not to exceed \$4,712,000 shall be available for the
20 Office of Demonstration and Innovation; not to exceed
21 \$3,113,000 shall be available for the Office of Civil Rights;
22 not to exceed \$4,155,000 shall be available for the Office
23 of Planning; not to exceed \$21,408,000 shall be available
24 for regional offices; and not to exceed \$17,884,000 shall
25 be available for the central account: *Provided further*, That

1 the Administrator is authorized to transfer funds appro-
2 priated for an office of the Federal Transit Administra-
3 tion: *Provided further*, That no appropriation for an office
4 shall be increased or decreased by more than a total of
5 5 percent during the fiscal year by all such transfers: *Pro-*
6 *vided further*, That any change in funding greater than
7 5 percent shall be submitted for approval to the House
8 and Senate Committees on Appropriations: *Provided fur-*
9 *ther*, That any funding transferred from the central ac-
10 count shall be submitted for approval to the House and
11 Senate Committees on Appropriations: *Provided further*,
12 That none of the funds provided or limited in this Act
13 may be used to create a permanent office of transit secu-
14 rity under this heading: *Provided further*, That of the
15 funds in this Act available for the execution of contracts
16 under section 5327(c) of title 49, United States Code,
17 \$2,000,000 shall be reimbursed to the Department of
18 Transportation's Office of Inspector General for costs as-
19 sociated with audits and investigations of transit-related
20 issues, including reviews of new fixed guideway systems:
21 *Provided further*, That upon submission to the Congress
22 of the fiscal year 2007 President's budget, the Secretary
23 of Transportation shall transmit to Congress the annual
24 report on new starts, proposed allocations of funds for fis-
25 cal year 2007: *Provided further*, That the amount herein

1 appropriated shall be reduced by \$20,000 per day for each
2 day after initial submission of the President's budget that
3 the report has not been submitted to the Congress.

4 FORMULA GRANTS

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out 49 U.S.C. 5307,
7 5308, 5310, 5311, 5327, 5335 and section 3038 of Public
8 Law 105–178, \$662,550,000, to remain available until ex-
9 pended: *Provided*, That no more than \$4,417,000,000 of
10 budget authority shall be available for these purposes: *Pro-*
11 *vided further*, That of the amount available, \$2,500,000
12 shall be available for the National Transit database.

13 UNIVERSITY TRANSPORTATION RESEARCH

14 For necessary expenses to carry out 49 U.S.C. 5505,
15 \$1,200,000, to remain available until expended: *Provided*,
16 That no more than \$8,000,000 of budget authority shall
17 be available for these purposes.

18 TRANSIT PLANNING AND RESEARCH

19 For necessary expenses to carry out 49 U.S.C. 5303,
20 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and
21 5322, \$24,049,000, to remain available until expended:
22 *Provided*, That no more than \$160,325,000 of budget au-
23 thority shall be available for these purposes.

1 TRUST FUND SHARE OF EXPENSES
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (HIGHWAY TRUST FUND)

4 Notwithstanding any other provision of law, for pay-
5 ment of obligations incurred in carrying out 49 U.S.C.
6 5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334,
7 5505, and sections 3037 and 3038 of Public Law 105–
8 178, \$7,209,700,000, to remain available until expended,
9 and to be derived from the Mass Transit Account of the
10 Highway Trust Fund: *Provided*, That \$3,754,450,000
11 shall be paid to the Federal Transit Administration’s for-
12 mula grants account: *Provided further*, That \$136,276,000
13 shall be paid to the Federal Transit Administration’s tran-
14 sit planning and research account: *Provided further*, That
15 \$68,000,000 shall be paid to the Federal Transit Adminis-
16 tration’s administrative expenses account: *Provided fur-*
17 *ther*, That \$6,800,000 shall be paid to the Federal Transit
18 Administration’s university transportation research ac-
19 count: *Provided further*, That \$148,750,000 shall be paid
20 to the Federal Transit Administration’s job access and re-
21 verse commute grants program: *Provided further*, That
22 \$3,095,424,000 shall be paid to the Federal Transit Ad-
23 ministration’s Capital Investment Grants account.

1 CAPITAL INVESTMENT GRANTS
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to carry out 49 U.S.C. 5308,
4 5309, 5318, and 5327, \$546,251,000, to remain available
5 until expended: *Provided*, That no more than
6 \$3,641,675,000 of budget authority shall be available for
7 these purposes.

8 JOB ACCESS AND REVERSE COMMUTE GRANTS

9 For necessary expenses to carry out section 3037 of
10 the Federal Transit Act of 1998, \$26,250,000, to remain
11 available until expended: *Provided*, That no more than
12 \$175,000,000 of budget authority shall be available for
13 these purposes: *Provided further*, That up to \$300,000 of
14 the funds provided under this heading may be used by the
15 Federal Transit Administration for technical assistance
16 and support and performance reviews of the Job Access
17 and Reverse Commute Grants program.

18 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT
19 ADMINISTRATION

20 SEC. 150. The limitations on obligations for the pro-
21 grams of the Federal Transit Administration shall not
22 apply to any authority under 49 U.S.C. 5338, previously
23 made available for obligation, or to any other authority
24 previously made available for obligation.

25 SEC. 151. Notwithstanding any other provision of
26 law, unobligated funds made available for a new fixed

1 guideway systems projects under the heading “Federal
2 Transit Administration, Capital Investment Grants” in
3 any appropriations act prior to this Act may be used dur-
4 ing this fiscal year to satisfy expenses incurred for such
5 projects.

6 SEC. 152. Notwithstanding any other provision of
7 law, any funds appropriated before October 1, 2005, under
8 any section of chapter 53 of title 49, United States Code,
9 that remain available for expenditure may be transferred
10 to and administered under the most recent appropriation
11 heading for any such section.

12 SAINT LAWRENCE SEAWAY DEVELOPMENT

13 CORPORATION

14 The Saint Lawrence Seaway Development Corpora-
15 tion is hereby authorized to make such expenditures, with-
16 in the limits of funds and borrowing authority available
17 to the Corporation, and in accord with law, and to make
18 such contracts and commitments without regard to fiscal
19 year limitations as provided by section 104 of the Govern-
20 ment Corporation Control Act, as amended, as may be
21 necessary in carrying out the programs set forth in the
22 Corporation’s budget for the current fiscal year.

23 OPERATIONS AND MAINTENANCE

24 (HARBOR MAINTENANCE TRUST FUND)

25 For necessary expenses for operations and mainte-
26 nance of those portions of the Saint Lawrence Seaway op-

1 erated and maintained by the Saint Lawrence Seaway De-
2 velopment Corporation, \$16,284,000, to be derived from
3 the Harbor Maintenance Trust Fund, pursuant to Public
4 Law 99–662.

5 MARITIME ADMINISTRATION

6 MARITIME SECURITY PROGRAM

7 For necessary expenses to maintain and preserve a
8 U.S.-flag merchant fleet to serve the national security
9 needs of the United States, \$156,000,000, to remain avail-
10 able until expended.

11 OPERATIONS AND TRAINING

12 For necessary expenses of operations and training ac-
13 tivities authorized by law, \$112,336,000, of which
14 \$23,750,000 shall remain available until September 30,
15 2006, for salaries and benefits of employees of the United
16 States Merchant Marine Academy; of which \$17,000,000
17 shall remain available until expended for capital improve-
18 ments at the United States Merchant Marine Academy;
19 and of which \$11,211,000 shall remain available until ex-
20 pended for the State Maritime Schools Schoolship Mainte-
21 nance and Repair.

22 SHIP DISPOSAL

23 For necessary expenses related to the disposal of ob-
24 solete vessels in the National Defense Reserve Fleet of the
25 Maritime Administration, \$21,000,000, to remain avail-
26 able until expended.

1 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM
2 ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For administrative expenses to carry out the guaran-
5 teed loan program, not to exceed \$3,526,000, which shall
6 be transferred to and merged with the appropriation for
7 Operations and Training.

8 SHIP CONSTRUCTION
9 (RESCISSION)

10 Of the unobligated balances available under this
11 heading, \$2,071,280 are rescinded.

12 ADMINISTRATIVE PROVISIONS—MARITIME
13 ADMINISTRATION

14 SEC. 160. Notwithstanding any other provision of
15 this Act, the Maritime Administration is authorized to fur-
16 nish utilities and services and make necessary repairs in
17 connection with any lease, contract, or occupancy involving
18 Government property under control of the Maritime Ad-
19 ministration, and payments received therefore shall be
20 credited to the appropriation charged with the cost there-
21 of: *Provided*, That rental payments under any such lease,
22 contract, or occupancy for items other than such utilities,
23 services, or repairs shall be covered into the Treasury as
24 miscellaneous receipts.

25 SEC. 161. No obligations shall be incurred during the
26 current fiscal year from the construction fund established

1 by the Merchant Marine Act, 1936, or otherwise, in excess
2 of the appropriations and limitations contained in this Act
3 or in any prior appropriations Act.

4 PIPELINE AND HAZARDOUS MATERIALS SAFETY

5 ADMINISTRATION

6 ADMINISTRATIVE EXPENSES

7 For necessary administrative expenses of the Pipeline
8 and Hazardous Materials Safety Administration,
9 \$17,027,000, of which \$645,000 shall be derived from the
10 Pipeline Safety Fund.

11 HAZARDOUS MATERIALS SAFETY

12 For expenses necessary to discharge the hazardous
13 materials safety functions of the Pipeline and Hazardous
14 Materials Safety Administration, \$26,183,000, of which
15 \$1,847,000 shall remain available until September 30,
16 2008: *Provided*, That up to \$1,200,000 in fees collected
17 under 49 U.S.C. 5108(g) shall be deposited in the general
18 fund of the Treasury as offsetting receipts: *Provided fur-*
19 *ther*, That there may be credited to this appropriation, to
20 be available until expended, funds received from States,
21 counties, municipalities, other public authorities, and pri-
22 vate sources for expenses incurred for training, for reports
23 publication and dissemination, and for travel expenses in-
24 curred in performance of hazardous materials exemptions
25 and approvals functions.

1 PIPELINE SAFETY
2 (PIPELINE SAFETY FUND)
3 (OIL SPILL LIABILITY TRUST FUND)

4 For expenses necessary to conduct the functions of
5 the pipeline safety program, for grants-in-aid to carry out
6 a pipeline safety program, as authorized by 49 U.S.C.
7 60107, and to discharge the pipeline program responsibil-
8 ities of the Oil Pollution Act of 1990, \$72,860,000, of
9 which \$15,000,000 shall be derived from the Oil Spill Li-
10 ability Trust Fund and shall remain available until Sep-
11 tember 30, 2008; of which \$57,860,000 shall be derived
12 from the Pipeline Safety Fund, of which \$24,000,000
13 shall remain available until September 30, 2008: *Provided,*
14 That not less than \$1,000,000 of the funds provided under
15 this heading shall be for the one-call State grant program.

16 EMERGENCY PREPAREDNESS GRANTS
17 (EMERGENCY PREPAREDNESS FUND)

18 For necessary expenses to carry out 49 U.S.C.
19 5127(c), \$200,000, to be derived from the Emergency
20 Preparedness Fund, to remain available until September
21 30, 2007: *Provided,* That not more than \$14,300,000 shall
22 be made available for obligation in fiscal year 2006 from
23 amounts made available by 49 U.S.C. 5116(i) and
24 5127(d): *Provided further,* That none of the funds made
25 available by 49 U.S.C. 5116(i), 5127(c), and 5127(d) shall

1 be made available for obligation by individuals other than
2 the Secretary of Transportation, or his designee.

3 RESEARCH AND INNOVATIVE TECHNOLOGY

4 ADMINISTRATION

5 RESEARCH AND DEVELOPMENT

6 For necessary expenses of the Research and Innova-
7 tive Technology Administration, \$4,326,000: *Provided*,
8 That there may be credited to this appropriation, to be
9 available until expended, funds received from States, coun-
10 ties, municipalities, other public authorities, and private
11 sources for expenses incurred for training.

12 OFFICE OF INSPECTOR GENERAL

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of Inspector
15 General to carry out the provisions of the Inspector Gen-
16 eral Act of 1978, as amended, \$62,499,000: *Provided*,
17 That the Inspector General shall have all necessary au-
18 thority, in carrying out the duties specified in the Inspec-
19 tor General Act, as amended (5 U.S.C. App. 3), to inves-
20 tigate allegations of fraud, including false statements to
21 the government (18 U.S.C. 1001), by any person or entity
22 that is subject to regulation by the Department: *Provided*
23 *further*, That the funds made available under this heading
24 shall be used to investigate, pursuant to section 41712 of
25 title 49, United States Code: (1) unfair or deceptive prac-

1 tices and unfair methods of competition by domestic and
 2 foreign air carriers and ticket agents; and (2) the compli-
 3 ance of domestic and foreign air carriers with respect to
 4 item (1) of this proviso.

5 SURFACE TRANSPORTATION BOARD

6 SALARIES AND EXPENSES

7 For necessary expenses of the Surface Transpor-
 8 tation Board, including services authorized by 5 U.S.C.
 9 3109, \$26,622,000: *Provided*, That notwithstanding any
 10 other provision of law, not to exceed \$1,250,000 from fees
 11 established by the Chairman of the Surface Transpor-
 12 tation Board shall be credited to this appropriation as off-
 13 setting collections and used for necessary and authorized
 14 expenses under this heading: *Provided further*, That the
 15 sum herein appropriated from the general fund shall be
 16 reduced on a dollar-for-dollar basis as such offsetting col-
 17 lections are received during fiscal year 2006, to result in
 18 a final appropriation from the general fund estimated at
 19 no more than \$25,372,000.

20 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF

21 TRANSPORTATION

22 (INCLUDING TRANSFERS OF FUNDS)

23 SEC. 170. During the current fiscal year applicable
 24 appropriations to the Department of Transportation shall
 25 be available for maintenance and operation of aircraft;
 26 hire of passenger motor vehicles and aircraft; purchase of

1 liability insurance for motor vehicles operating in foreign
2 countries on official department business; and uniforms or
3 allowances therefor, as authorized by law (5 U.S.C. 5901–
4 5902).

5 SEC. 171. Appropriations contained in this Act for
6 the Department of Transportation shall be available for
7 services as authorized by 5 U.S.C. 3109, but at rates for
8 individuals not to exceed the per diem rate equivalent to
9 the rate for an Executive Level IV.

10 SEC. 172. None of the funds in this Act shall be avail-
11 able for salaries and expenses of more than 100 political
12 and Presidential appointees in the Department of Trans-
13 portation: *Provided*, That none of the personnel covered
14 by this provision may be assigned on temporary detail out-
15 side the Department of Transportation.

16 SEC. 173. None of the funds in this Act shall be used
17 to implement section 404 of title 23, United States Code.

18 SEC. 174. (a) No recipient of funds made available
19 in this Act shall disseminate personal information (as de-
20 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
21 ment of motor vehicles in connection with a motor vehicle
22 record as defined in 18 U.S.C. 2725(1), except as provided
23 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
24 2721.

1 (b) Notwithstanding subsection (a), the Secretary
2 shall not withhold funds provided in this Act for any
3 grantee if a State is in noncompliance with this provision.

4 SEC. 175. Funds received by the Federal Highway
5 Administration, Federal Transit Administration, and Fed-
6 eral Railroad Administration from States, counties, mu-
7 nicipalities, other public authorities, and private sources
8 for expenses incurred for training may be credited respec-
9 tively to the Federal Highway Administration's "Federal-
10 Aid Highways" account, the Federal Transit Administra-
11 tion's "Transit Planning and Research" account, and to
12 the Federal Railroad Administration's "Safety and Oper-
13 ations" account, except for State rail safety inspectors
14 participating in training pursuant to 49 U.S.C. 20105.

15 SEC. 176. Notwithstanding any other provisions of
16 law, rule or regulation, the Secretary of Transportation
17 is authorized to allow the issuer of any preferred stock
18 heretofore sold to the Department to redeem or repur-
19 chase such stock upon the payment to the Department of
20 an amount determined by the Secretary.

21 SEC. 177. None of the funds in this Act to the De-
22 partment of Transportation may be used to make a grant
23 unless the Secretary of Transportation notifies the House
24 and Senate Committees on Appropriations not less than
25 3 full business days before any discretionary grant award,

1 letter of intent, or full funding grant agreement totaling
2 \$1,000,000 or more is announced by the department or
3 its modal administrations from: (1) any discretionary
4 grant program of the Federal Highway Administration
5 other than the emergency relief program; (2) the airport
6 improvement program of the Federal Aviation Administra-
7 tion; or (3) any program of the Federal Transit Adminis-
8 tration other than the formula grants and fixed guideway
9 modernization programs: *Provided*, That no notification
10 shall involve funds that are not available for obligation.

11 SEC. 178. Rebates, refunds, incentive payments,
12 minor fees and other funds received by the Department
13 of Transportation from travel management centers,
14 charge card programs, the subleasing of building space,
15 and miscellaneous sources are to be credited to appropria-
16 tions of the Department of Transportation and allocated
17 to elements of the Department of Transportation using
18 fair and equitable criteria and such funds shall be avail-
19 able until expended.

20 SEC. 179. Amounts made available in this or any
21 other Act that the Secretary determines represent im-
22 proper payments by the Department of Transportation to
23 a third party contractor under a financial assistance
24 award, which are recovered pursuant to law, shall be avail-
25 able—

1 (1) to reimburse the actual expenses incurred
2 by the Department of Transportation in recovering
3 improper payments; and

4 (2) to pay contractors for services provided in
5 recovering improper payments: *Provided*, That
6 amounts in excess of that required for paragraphs
7 (1) and (2)—

8 (A) shall be credited to and merged with
9 the appropriation from which the improper pay-
10 ments were made, and shall be available for the
11 purposes and period for which such appropria-
12 tions are available; or

13 (B) if no such appropriation remains avail-
14 able, shall be deposited in the Treasury as mis-
15 cellaneous receipts: *Provided*, That prior to the
16 transfer of any such recovery to an appropria-
17 tions account, the Secretary shall notify the
18 House and Senate Committees on Appropria-
19 tions of the amount and reasons for such trans-
20 fer: *Provided further*, That for purposes of this
21 section, the term “improper payments”, has the
22 same meaning as that provided in section
23 2(d)(2) of Public Law 107–300.

24 SEC. 180. The Secretary of Transportation is author-
25 ized to transfer the unexpended balances available for the

1 bonding assistance program from “Office of the Secretary,
2 Salaries and expenses” to “Minority Business Outreach”.

3 SEC. 181. None of the funds made available in this
4 Act to the Department of Transportation may be obligated
5 for the Office of the Secretary of Transportation to ap-
6 prove assessments or reimbursable agreements pertaining
7 to funds appropriated to the modal administrations in this
8 Act, except for activities underway on the date of enact-
9 ment of this Act, unless such assessments or agreements
10 have completed the normal reprogramming process for
11 Congressional notification.

12 SEC. 182. None of the funds made available under
13 this Act may be obligated or expended to establish or im-
14 plement a pilot program under which not more than 10
15 designated essential air service communities located in
16 proximity to hub airports are required to assume 10 per-
17 cent of their essential air subsidy costs for a 4-year period
18 commonly referred to as the EAS local participation pro-
19 gram.

20 TITLE II—DEPARTMENT OF THE TREASURY

21 DEPARTMENTAL OFFICES

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of the Departmental Offices
25 including operation and maintenance of the Treasury
26 Building and Annex; hire of passenger motor vehicles;

1 maintenance, repairs, and improvements of, and purchase
2 of commercial insurance policies for, real properties leased
3 or owned overseas, when necessary for the performance
4 of official business, not to exceed \$3,000,000 for official
5 travel expenses; \$187,452,000, of which not to exceed
6 \$7,216,000 for executive direction program activities; not
7 to exceed \$7,521,000 for general counsel program activi-
8 ties; not to exceed \$32,011,000 for economic policies and
9 programs activities; not to exceed \$24,721,000 for finan-
10 cial policies and programs activities; not to exceed
11 \$16,843,000 for Treasury-wide management policies and
12 programs activities; not to exceed \$63,731,000 for admin-
13 istration programs activities: *Provided*, That \$35,409,000
14 of the amount provided under this heading is for the Of-
15 fice of Terrorism and Financial Intelligence as authorized
16 in Public law 108–447, of which \$22,032,000 is for the
17 Office of Foreign Assets Control, \$5,882,000 is for the
18 Office of Intelligence and Analysis, and \$1,998,000 is for
19 the Office of the Undersecretary: *Provided further*, That
20 the Secretary of the Treasury is authorized to transfer
21 funds appropriated for any program activity of the De-
22 partmental Offices to any other program activity of the
23 Departmental Offices upon notification to the House and
24 Senate Committees on Appropriations: *Provided further*,
25 That no appropriation for any program activity shall be

1 increased or decreased by more than 2 percent by all such
2 transfers: *Provided further*, That any change in funding
3 greater than 2 percent shall be submitted for approval to
4 the House and Senate Committees on Appropriations:
5 *Provided further*, That of the amount appropriated under
6 this heading, not to exceed \$3,000,000, to remain avail-
7 able until September 30, 2007, is for information tech-
8 nology modernization requirements; not to exceed
9 \$100,000 is for official reception and representation ex-
10 penses; and not to exceed \$258,000 is for unforeseen
11 emergencies of a confidential nature, to be allocated and
12 expended under the direction of the Secretary of the
13 Treasury and to be accounted for solely on his certificate:
14 *Provided further*, That of the amount appropriated under
15 this heading, \$5,173,000, to remain available until Sep-
16 tember 30, 2007, is for the Treasury-wide Financial State-
17 ment Audit Program and internal control programs, of
18 which such amounts as may be necessary may be trans-
19 ferred to accounts of the Department's offices and bureaus
20 to conduct audits: *Provided further*, That this transfer au-
21 thority shall be in addition to any other provided in this
22 Act.

1 DEPARTMENT-WIDE SYSTEMS AND CAPITAL
2 INVESTMENTS PROGRAMS
3 (INCLUDING TRANSFER OF FUNDS)

4 For development and acquisition of automatic data
5 processing equipment, software, and services for the De-
6 partment of the Treasury, \$21,412,000, to remain avail-
7 able until September 30, 2008: *Provided*, That these funds
8 shall be transferred to accounts and in amounts as nec-
9 essary to satisfy the requirements of the Department's of-
10 fices, bureaus, and other organizations: *Provided further*,
11 That this transfer authority shall be in addition to any
12 other transfer authority provided in this Act: *Provided fur-*
13 *ther*, That none of the funds appropriated shall be used
14 to support or supplement "Internal Revenue Service, In-
15 formation Systems" or "Internal Revenue Service, Busi-
16 ness Systems Modernization".

17 OFFICE OF INSPECTOR GENERAL
18 SALARIES AND EXPENSES

19 For necessary expenses of the Office of Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978, as amended, not to exceed
22 \$2,000,000 for official travel expenses, including hire of
23 passenger motor vehicles; and not to exceed \$100,000 for
24 unforeseen emergencies of a confidential nature, to be allo-
25 cated and expended under the direction of the Inspector
26 General of the Treasury, \$17,000,000, of which not to ex-

1 ceed \$2,500 shall be available for official reception and
2 representation expenses.

3 TREASURY INSPECTOR GENERAL FOR TAX

4 ADMINISTRATION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Treasury Inspector
7 General for Tax Administration in carrying out the In-
8 spector General Act of 1978, as amended, including pur-
9 chase (not to exceed 150 for replacement only for police-
10 type use) and hire of passenger motor vehicles (31 U.S.C.
11 1343(b)); services authorized by 5 U.S.C. 3109, at such
12 rates as may be determined by the Inspector General for
13 Tax Administration; not to exceed \$6,000,000 for official
14 travel expenses; and not to exceed \$500,000 for unfore-
15 seen emergencies of a confidential nature, to be allocated
16 and expended under the direction of the Inspector General
17 for Tax Administration, \$133,286,000; and of which not
18 to exceed \$1,500 shall be available for official reception
19 and representation expenses.

20 AIR TRANSPORTATION STABILIZATION PROGRAM

21 ACCOUNT

22 For necessary expenses to administer the Air Trans-
23 portation Stabilization Board established by section 102
24 of the Air Transportation Safety and System Stabilization
25 Act (Public Law 107-42), \$2,500,000 to remain available
26 until expended.

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

4 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
5 SALARIES AND EXPENSES

6 For necessary expenses of carrying out section 1111
7 of the Homeland Security Act of 2002, including hire of
8 passenger motor vehicles, \$91,126,000; of which not to ex-
9 ceed \$6,000 for official reception and representation ex-
10 penses; not to exceed \$50,000 for cooperative research and
11 development programs for laboratory services; and provi-
12 sion of laboratory assistance to State and local agencies
13 with or without reimbursement.

14 UNITED STATES MINT

15 UNITED STATES MINT PUBLIC ENTERPRISE FUND

16 Pursuant to section 5136 of title 31, United States
17 Code, the United States Mint is provided funding through
18 the United States Mint Public Enterprise Fund for costs
19 associated with the production of circulating coins, numis-
20 matic coins, and protective services, including both oper-
21 ating expenses and capital investments. The aggregate
22 amount of new liabilities and obligations incurred during
23 fiscal year 2006 under such section 5136 for circulating
24 coinage and protective service capital investments of the
25 United States Mint shall not exceed \$36,900,000.

1 BUREAU OF THE PUBLIC DEBT
2 ADMINISTERING THE PUBLIC DEBT

3 For necessary expenses connected with any public-
4 debt issues of the United States, \$179,923,000, of which
5 not to exceed \$2,500 shall be available for official recep-
6 tion and representation expenses, and of which not to ex-
7 ceed \$2,000,000 shall remain available until expended for
8 systems modernization: *Provided*, That the sum appro-
9 priated herein from the General Fund for fiscal year 2006
10 shall be reduced by not more than \$3,000,000 as definitive
11 security issue fees and Treasury Direct Investor Account
12 Maintenance fees are collected, so as to result in a final
13 fiscal year 2006 appropriation from the General Fund es-
14 timated at \$176,923,000. In addition, \$70,000 to be de-
15 rived from the Oil Spill Liability Trust Fund to reimburse
16 the Bureau for administrative and personnel expenses for
17 financial management of the Fund, as authorized by sec-
18 tion 1012 of Public Law 101–380.

19 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
20 FUND PROGRAM ACCOUNT

21 To carry out the Community Development Banking
22 and Financial Institutions Act of 1994, including services
23 authorized by 5 U.S.C. 3109, but at rates for individuals
24 not to exceed the per diem rate equivalent to the rate for
25 ES–3, \$55,000,000, to remain available until September

1 30, 2006, of which up to \$13,000,000 may be used for
2 administrative expenses, including administration of the
3 New Markets Tax Credit, up to \$6,000,000 may be used
4 for the cost of direct loans, and up to \$250,000 may be
5 used for administrative expenses to carry out the direct
6 loan program: *Provided*, That the cost of direct loans, in-
7 cluding the cost of modifying such loans, shall be as de-
8 fined in section 502 of the Congressional Budget Act of
9 1974, as amended: *Provided further*, That these funds are
10 available to subsidize gross obligations for the principal
11 amount of direct loans not to exceed \$11,000,000.

12 INTERNAL REVENUE SERVICE

13 PROCESSING, ASSISTANCE, AND MANAGEMENT

14 For necessary expenses of the Internal Revenue Serv-
15 ice for pre-filing taxpayer assistance and education, filing
16 and account services, shared services support, general
17 management and administration; and services as author-
18 ized by 5 U.S.C. 3109, at such rates as may be determined
19 by the Commissioner, \$4,181,520,000, of which up to
20 \$4,100,000 shall be for the Tax Counseling for the Elderly
21 Program, of which \$8,000,000 shall be available for low-
22 income taxpayer clinic grants, of which \$1,500,000 shall
23 be for the Internal Revenue Service Oversight Board; and
24 of which not to exceed \$25,000 shall be for official recep-
25 tion and representation expenses.

TAX LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

1
2
3 For necessary expenses of the Internal Revenue Serv-
4 ice for determining and establishing tax liabilities; pro-
5 viding litigation support; conducting criminal investigation
6 and enforcement activities; securing unfiled tax returns;
7 collecting unpaid accounts; conducting a document match-
8 ing program; resolving taxpayer problems through prompt
9 identification, referral and settlement; expanded customer
10 service and public outreach programs, strengthened en-
11 forcement activities, and enhanced research efforts to re-
12 duce erroneous filings associated with the earned income
13 tax credit; compiling statistics of income and conducting
14 compliance research; purchase (for police-type use, not to
15 exceed 850) and hire of passenger motor vehicles (31
16 U.S.C. 1343(b)); and services as authorized by 5 U.S.C.
17 3109, at such rates as may be determined by the Commis-
18 sioner, \$4,541,466,000, of which \$55,584,000 shall be for
19 the Interagency Crime and Drug Enforcement program:
20 *Provided*, That up to \$10,000,000 may be transferred as
21 necessary from this account to the IRS Processing, Assist-
22 ance, and Management appropriation or the IRS Informa-
23 tion Systems appropriation solely for the purposes of man-
24 agement of the Interagency Crime and Drug Enforcement
25 Program: *Provided further*, That up to \$10,000,000 may
26 be transferred as necessary from this account to the IRS

1 Processing, Assistance, and Management appropriation or
2 the IRS Information Systems appropriation solely for the
3 purposes of management of the Earned Income Tax Cred-
4 it compliance program and to reimburse the Social Secu-
5 rity Administration for the cost of implementing section
6 1090 of the Taxpayer Relief Act of 1997 (Public Law
7 105–33): *Provided further*, That this transfer authority
8 shall be in addition to any other transfer authority pro-
9 vided in this Act.

10 INFORMATION SYSTEMS

11 For necessary expenses of the Internal Revenue Serv-
12 ice for information systems and telecommunications sup-
13 port, including developmental information systems and
14 operational information systems; the hire of passenger
15 motor vehicles (31 U.S.C. 1343(b)); and services as au-
16 thorized by 5 U.S.C. 3109, at such rates as may be deter-
17 mined by the Commissioner, \$1,606,846,000, of which
18 \$75,000,000 shall remain available until September 30,
19 2007.

20 BUSINESS SYSTEMS MODERNIZATION

21 For necessary expenses of the Internal Revenue Serv-
22 ice, \$199,000,000, to remain available until September 30,
23 2008, for the capital asset acquisition of information tech-
24 nology systems, including management and related con-
25 tractual costs of said acquisitions, including contractual
26 costs associated with operations authorized by 5 U.S.C.

1 3109: *Provided*, That none of these funds may be obli-
 2 gated until the Internal Revenue Service submits to the
 3 Committees on Appropriations, and such Committees ap-
 4 prove, a plan for expenditure that: (1) meets the capital
 5 planning and investment control review requirements es-
 6 tablished by the Office of Management and Budget, in-
 7 cluding Circular A–11; (2) complies with the Internal Rev-
 8 enue Service’s enterprise architecture, including the mod-
 9 ernization blueprint; (3) conforms with the Internal Rev-
 10 enue Service’s enterprise life cycle methodology; (4) is ap-
 11 proved by the Internal Revenue Service, the Department
 12 of the Treasury, and the Office of Management and Budg-
 13 et; (5) has been reviewed by the Government Account-
 14 ability Office; and (6) complies with the acquisition rules,
 15 requirements, guidelines, and systems acquisition manage-
 16 ment practices of the Federal Government.

17 HEALTH INSURANCE TAX CREDIT ADMINISTRATION

18 For expenses necessary to implement the health in-
 19 surance tax credit included in the Trade Act of 2002
 20 (Public Law 107–210), \$20,210,000.

21 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

22 SERVICE

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 201. Not to exceed 5 percent of any appropria-
 25 tion made available in this Act to the Internal Revenue
 26 Service or not to exceed 3 percent of appropriations under

1 the heading “Tax Law Enforcement” may be transferred
2 to any other Internal Revenue Service appropriation upon
3 the advance approval of the Committees on Appropria-
4 tions.

5 SEC. 202. The Internal Revenue Service shall main-
6 tain a training program to ensure that Internal Revenue
7 Service employees are trained in taxpayers’ rights, in deal-
8 ing courteously with taxpayers, and in cross-cultural rela-
9 tions.

10 SEC. 203. The Internal Revenue Service shall insti-
11 tute and enforce policies and procedures that will safe-
12 guard the confidentiality of taxpayer information.

13 SEC. 204. Funds made available by this or any other
14 Act to the Internal Revenue Service shall be available for
15 improved facilities and increased manpower to provide suf-
16 ficient and effective 1–800 help line service for taxpayers.
17 The Commissioner shall continue to make the improve-
18 ment of the Internal Revenue Service 1–800 help line serv-
19 ice a priority and allocate resources necessary to increase
20 phone lines and staff to improve the Internal Revenue
21 Service 1–800 help line service.

22 SEC. 205. None of the funds in this title may be used
23 to modify the number or location of Taxpayer Assistance
24 Centers until the Treasury Inspector General for Tax Ad-
25 ministration completes a study detailing the impact that

1 such closures would have on taxpayer compliance and sub-
2 mits such study to the Committees on Appropriations of
3 the House of Representatives and the Senate for review:
4 *Provided*, That no funds shall be obligated by the Internal
5 Revenue Service for such purposes for 60 days after re-
6 ceipt of such study: *Provided further*, That the Internal
7 Revenue Service shall consult with stakeholder organiza-
8 tions, including but no limited to, the National Taxpayer
9 Advocate, the Internal Revenue Service Oversight Board,
10 the Treasury Inspector General for Tax Administration,
11 and Internal Revenue Service employees with respect to
12 the types of data to be included in the model that will
13 determine which Taxpayer Assistance Centers should be
14 closed and the relative weight of such data as it relates
15 to such model.

16 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
17 TREASURY

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 210. Appropriations to the Department of the
20 Treasury in this Act shall be available for uniforms or al-
21 lowances therefor, as authorized by law (5 U.S.C. 5901),
22 including maintenance, repairs, and cleaning; purchase of
23 insurance for official motor vehicles operated in foreign
24 countries; purchase of motor vehicles without regard to the
25 general purchase price limitations for vehicles purchased

1 and used overseas for the current fiscal year; entering into
2 contracts with the Department of State for the furnishing
3 of health and medical services to employees and their de-
4 pendants serving in foreign countries; and services author-
5 ized by 5 U.S.C. 3109.

6 SEC. 211. Not to exceed 2 percent of any appropria-
7 tion made available in this Act to the Internal Revenue
8 Service may be transferred to the Treasury Inspector Gen-
9 eral for Tax Administration's appropriation upon the ad-
10 vance approval of the Committees on Appropriations: *Pro-*
11 *vided*, That no transfer may increase or decrease any such
12 appropriation by more than 2 percent.

13 SEC. 212. Of the funds available for the purchase of
14 law enforcement vehicles, no funds may be obligated until
15 the Secretary of the Treasury certifies that the purchase
16 by the respective Treasury bureau is consistent with De-
17 partmental vehicle management principles: *Provided*, That
18 the Secretary may delegate this authority to the Assistant
19 Secretary for Management.

20 SEC. 213. None of the funds appropriated in this Act
21 or otherwise available to the Department of the Treasury
22 or the Bureau of Engraving and Printing may be used
23 to redesign the \$1 Federal Reserve note.

24 SEC. 214. The Secretary of the Treasury may trans-
25 fer funds from "Financial Management Services, Salaries

1 and Expenses” to “Debt Collection Fund” as necessary
2 to cover the costs of debt collection: *Provided*, That such
3 amounts shall be reimbursed to such salaries and expenses
4 account from debt collections received in the Debt Collec-
5 tion Fund.

6 SEC. 215. Section 122(g)(1) of Public Law 105–119
7 (5 U.S.C. 3104 note), is further amended by striking “7
8 years” and inserting “8 years”.

9 SEC. 216. None of the funds appropriated or other-
10 wise made available by this or any other Act may be used
11 by the United States Mint to construct or operate any mu-
12 seum without the explicit approval of the House Com-
13 mittee on Financial Services and the Senate Committee
14 on Banking, Housing, and Urban Affairs.

15 SEC. 217. None of the funds appropriated or other-
16 wise made available by this or any other Act or source
17 to the Department of the Treasury, the Bureau of Engrav-
18 ing and Printing, and the United States Mint, individually
19 or collectively, may be used to consolidate any or all func-
20 tions of the Bureau of Engraving and Printing and the
21 United States Mint without the explicit approval of the
22 House Committee on Financial Services; the Senate Com-
23 mittee on Banking, Housing, and Urban Affairs; the
24 House Committee on Appropriations; and the Senate
25 Committee on Appropriations.

1 tracts (including renewals of enhanced vouchers
2 under any provision of law authorizing such assist-
3 ance under section 8(t) of the Act: *Provided*, That
4 notwithstanding any other provision of law, from
5 amounts provided under this paragraph, the Sec-
6 retary for the calendar year 2006 funding cycle shall
7 provide renewal funding for each public housing
8 agency based on each public housing agency's 2005
9 annual budget for renewal funding as calculated by
10 HUD, prior to prorations, and by applying the 2006
11 Annual Adjustment Factor as established by the
12 Secretary, and by making any necessary adjustments
13 for the costs associated with the first-time renewal
14 of tenant protection or HOPE VI vouchers: *Provided*
15 *further*, That the Secretary shall, to the extent nec-
16 essary to stay within the amount provided under this
17 paragraph, pro rate each public housing agency's al-
18 location otherwise established pursuant to this para-
19 graph: *Provided further*, That except as provided in
20 the following proviso, the entire amount provided
21 under this paragraph shall be obligated to the public
22 housing agencies based on the allocation and pro
23 rata method described above: *Provided further*, That
24 up to \$45,000,000 shall be available only (1) to ad-
25 just the allocations for public housing agencies, after

1 application for an adjustment by a public housing
2 agency and verification by HUD, whose allocations
3 under this heading for contract renewals for the cal-
4 endar year 2005 funding cycle were based on
5 verified VMS leasing and cost data averaged for the
6 months of May, June, and July of 2004 and solely
7 because of temporarily low leasing levels during such
8 3-month period did not accurately reflect leasing lev-
9 els and costs for the 2004 fiscal year of the agen-
10 cies, and (2) for adjustments for public housing
11 agencies that experienced a significant increase, as
12 determined by the Secretary, in renewal costs result-
13 ing from the portability under section 8(r) of the
14 United States Housing Act of 1937 of tenant-based
15 rental assistance: *Provided further*, That none of the
16 funds provided in this paragraph may be used to
17 support a total number of unit months under lease
18 which exceeds a public housing agency's authorized
19 level of units under contract;

20 (2) \$165,700,000 for section 8 rental assistance
21 for relocation and replacement of housing units that
22 are demolished or disposed of pursuant to the Omni-
23 bus Consolidated Rescissions and Appropriations Act
24 of 1996 (Public Law 104–134), conversion of section
25 23 projects to assistance under section 8, the family

1 unification program under section 8(x) of the Act,
2 relocation of witnesses in connection with efforts to
3 combat crime in public and assisted housing pursu-
4 ant to a request from a law enforcement or prosecu-
5 tion agency, enhanced vouchers under any provision
6 of law authorizing such assistance under section 8(t)
7 of the Act, HOPE VI vouchers, mandatory and vol-
8 untary conversions, vouchers necessary to complete
9 the consent decree requirements in Walker vs. U.S.
10 Department of Housing and Urban Development,
11 and tenant protection assistance including replace-
12 ment and relocation assistance;

13 (3) \$45,000,000 for family self-sufficiency coor-
14 dinators under section 23 of the Act;

15 (4) \$5,900,000 shall be transferred to the
16 Working Capital Fund; and

17 (5) \$1,225,000,000 for administrative and
18 other expenses of public housing agencies in admin-
19 istering the section 8 tenant-based rental assistance
20 program, of which up to \$25,000,000 shall be avail-
21 able to the Secretary to allocate to public housing
22 agencies that need additional funds to administer
23 their section 8 programs: *Provided, That*
24 \$1,200,000,000 of the amount provided in this para-
25 graph shall be allocated for the calendar year 2006

1 funding cycle on a pro rata basis to public housing
2 agencies based on the amount public housing agen-
3 cies were eligible to receive in calendar year 2005:
4 *Provided further*, That all amounts provided under
5 this paragraph shall be only for activities related to
6 the provision of tenant-based rental assistance au-
7 thorized under section 8, including related develop-
8 ment activities, except that up to \$200,000,000 of
9 funds made available on October 1, 2006, to this ac-
10 count may be transferred to the “Project Based
11 Rental Assistance Account” at the discretion of the
12 Secretary.

13 HOUSING CERTIFICATE FUND

14 (RESCISSION)

15 Of the unobligated balances, including recaptures and
16 carryover, remaining from funds appropriated to the De-
17 partment of Housing and Urban Development under this
18 heading or the heading “Annual contributions for assisted
19 housing” or any other heading for fiscal year 2005 and
20 prior years, \$2,493,600,000 is rescinded, to be effected by
21 the Secretary no later than September 30, 2006: *Provided*,
22 That any such balances governed by reallocation provi-
23 sions under the statute authorizing the program for which
24 the funds were originally appropriated shall be available
25 for the rescission: *Provided further*, That any obligated
26 balances of contract authority from fiscal year 1974 and

1 prior that have been terminated shall be cancelled: *Pro-*
2 *vided further*, That no amounts recaptured from amounts
3 appropriated in prior years under this heading or the
4 heading “Annual contributions for assisted housing” and
5 no carryover of such appropriated amounts for project-
6 based assistance shall be available for the calendar year
7 2006 funding cycle for activities provided for under the
8 heading “Tenant-based rental assistance”.

9 PROJECT-BASED RENTAL ASSISTANCE

10 (INCLUDING TRANSFER OF FUNDS)

11 For activities and assistance for the provision of
12 project-based subsidy contracts under the United States
13 Housing Act of 1937, as amended (42 U.S.C. 1437 et
14 seq.) (“the Act” herein), not otherwise provided for,
15 \$5,088,300,000, to remain available until expended: *Pro-*
16 *vided*, That the amounts made available under this head-
17 ing are provided as follows:

18 (1) \$4,940,100,000 for expiring or terminating
19 section 8 project-based subsidy contracts (including
20 section 8 moderate rehabilitation contracts), for
21 amendments to section 8 project-based subsidy con-
22 tracts (including section 8 moderate rehabilitation
23 contracts), for contracts entered into pursuant to
24 section 441 of the McKinney-Vento Homeless Assist-
25 ance Act, for renewal of section 8 contracts for units
26 in projects that are subject to approved plans of ac-

1 tion under the Emergency Low Income Housing
2 Preservation Act of 1987 or the Low-Income Hous-
3 ing Preservation and Resident Homeownership Act
4 of 1990, and for administrative and other expenses
5 associated with project-based activities and assist-
6 ance funded under this paragraph.

7 (2) \$147,200,000 for performance-based con-
8 tract administrators for section 8 project-based as-
9 sistance: *Provided*, That the Secretary may also use
10 such amounts for performance-based contract ad-
11 ministrators for: interest reduction payments pursu-
12 ant to section 236(a) of the National Housing Act
13 (12 U.S.C. 1715z-1(a)); rent supplement payments
14 pursuant to section 101 of the Housing and Urban
15 Development Act of 1965 (12 U.S.C. 1701s); Sec-
16 tion 236(f)(2) rental assistance payments (12 U.S.C.
17 1715z-1(f)(2)); project rental assistance contracts
18 for the elderly under section 202(c)(2) of the Hous-
19 ing Act of 1959, as amended (12 U.S.C. 1701q,
20 1701q-1); project rental assistance contracts for
21 supportive housing for persons with disabilities
22 under section 811(d)(2) of the Cranston-Gonzalez
23 National Affordable Housing Act; project assistance
24 contracts pursuant to section 202(h) of the Housing
25 Act of 1959 (Public Law 86-372; 73 Stat. 667);

1 and loans under section 202 of the Housing Act of
2 1959 (Public Law 86–372; 73 Stat. 667).

3 (3) \$1,000,000 shall be transferred to the
4 Working Capital Fund: *Provided further*, That
5 amounts recaptured under this heading, the heading,
6 ‘Annual Contributions for Assisted Housing,’ or the
7 heading, ‘Housing Certificate Fund,’ for project-
8 based section 8 activities may be used for renewals
9 of or amendments to section 8 project-based subsidy
10 contracts or for performance-based contract adminis-
11 trators, notwithstanding the purposes for which such
12 amounts were appropriated.

13 PUBLIC HOUSING CAPITAL FUND

14 (INCLUDING TRANSFERS OF FUNDS)

15 For the Public Housing Capital Fund Program to
16 carry out capital and management activities for public
17 housing agencies, as authorized under section 9 of the
18 United States Housing Act of 1937, as amended (42
19 U.S.C. 1437g) (the “Act”), \$2,600,000,000, to remain
20 available until September 30, 2009: *Provided*, That not-
21 withstanding any other provision of law or regulation, dur-
22 ing fiscal year 2006, the Secretary may not delegate to
23 any Department official other than the Deputy Secretary
24 and the Assistant Secretary for Public and Indian Hous-
25 ing any authority under paragraph (2) of section 9(j) re-
26 garding the extension of the time periods under such sec-

1 tion: *Provided further*, That for purposes of such section
2 9(j), the term “obligate” means, with respect to amounts,
3 that the amounts are subject to a binding agreement that
4 will result in outlays, immediately or in the future: *Pro-*
5 *vided further*, That of the total amount provided under
6 this heading, up to \$11,000,000 shall be for carrying out
7 activities under section 9(h) of such Act: *Provided further*,
8 That \$10,000,000 shall be transferred to the Working
9 Capital Fund: *Provided further*, That no funds may be
10 used under this heading for the purposes specified in sec-
11 tion 9(k) of the United States Housing Act of 1937, as
12 amended: *Provided further*, That of the total amount pro-
13 vided under this heading, up to \$17,000,000 shall be avail-
14 able for the Secretary of Housing and Urban Development
15 to make grants, notwithstanding section 305 of this Act,
16 to public housing agencies for emergency capital needs re-
17 sulting from unforeseen emergencies and natural disasters
18 occurring in fiscal year 2006: *Provided further*, That of
19 the total amount provided under this heading,
20 \$24,000,000 shall be for supportive services, service coor-
21 dinators and congregate services as authorized by section
22 34 of the Act and the Native American Housing Assist-
23 ance and Self-Determination Act of 1996: *Provided fur-*
24 *ther*, That up to \$8,820,000 is to support the costs of ad-
25 ministrative and judicial receiverships.

1 PUBLIC HOUSING OPERATING FUND

2 For 2006 payments to public housing agencies for the
3 operation and management of public housing, as author-
4 ized by section 9(e) of the United States Housing Act of
5 1937, as amended (42 U.S.C. 1437g(e)), \$3,600,000,000:
6 *Provided*, That all funds made available under this head-
7 ing shall be allocated to public housing agencies in accord-
8 ance with the terms, conditions, criteria and methodology
9 set forth in the “Post 4th Session Rule” issued on June
10 10, 2004 and shall not be allocated using any other for-
11 mula unless approved by the Committee: *Provided further*,
12 That of the total amount provided under this heading, up
13 to \$50,000,000 shall be for assistance for the conversion
14 to asset management including project-based accounting,
15 budgeting and management for public housing agencies
16 operating three or more public housing projects, which will
17 under the “Post 4th Session Rule” formula experience a
18 loss of subsidy greater than 5 percent from the amount
19 which would otherwise have been receivable under the Per-
20 formance Funding System regulations superceded by such
21 formula: *Provided further*, That, in fiscal year 2006 and
22 all fiscal years hereafter, no amounts under this heading
23 in any appropriations Act may be used for payments to
24 public housing agencies for the costs of operation and
25 management of public housing for any year prior to the

1 current year of such Act: *Provided further*, That no funds
2 may be used under this heading for the purposes specified
3 in section 9(k) of the United States Housing Act of 1937,
4 as amended.

5 NATIVE AMERICAN HOUSING BLOCK GRANTS

6 (INCLUDING TRANSFER OF FUNDS)

7 For the Native American Housing Block Grants pro-
8 gram, as authorized under title I of the Native American
9 Housing Assistance and Self-Determination Act of 1996
10 (NAHASDA) (25 U.S.C. 4111 et seq.), \$600,000,000, to
11 remain available until expended. Notwithstanding the Na-
12 tive American Housing Assistance and Self-Determination
13 Act of 1996, to determine the amount of the allocation
14 under title I of such Act for each Indian tribe, the Sec-
15 retary shall apply the formula under section 302 of such
16 Act with the need component based on single-race Census
17 data and with the need component based on multi-race
18 Census data, and the amount of the allocation for each
19 Indian tribe shall be the greater of the two resulting allo-
20 cation amounts. Of funds made available under this head-
21 ing, \$1,200,000 shall be contracted through the Secretary
22 as technical assistance and capacity building to be used
23 by the National American Indian Housing Council in sup-
24 port of the implementation of NAHASDA; of which
25 \$2,308,000 shall be to support the inspection of Indian
26 housing units, contract expertise, training, and technical

1 assistance in the training, oversight, and management of
2 Indian housing and tenant-based assistance, including up
3 to \$300,000 for related travel; of which \$45,000,000 shall
4 be for the Indian Community Development Block Grant
5 program under title I of the Housing and Community De-
6 velopment Act of 1974, as amended (42 U.S.C. 5301 et
7 seq.), for grants to Indian tribes notwithstanding section
8 106(a)(1) of such Act, to be allocated using the same
9 methodology as fiscal year 2005 funds of which up to
10 \$4,000,000 may be used for emergencies that constitute
11 imminent threats to health and safety, notwithstanding
12 any other provision of law (including section 205 of the
13 Act): *Provided*, That of the amount provided under this
14 heading, \$2,000,000 shall be made available for the cost
15 of guaranteed notes and other obligations, as authorized
16 by title VI of NAHASDA: *Provided further*, That such
17 costs, including the costs of modifying such notes and
18 other obligations, shall be as defined in section 502 of the
19 Congressional Budget Act of 1974, as amended: *Provided*
20 *further*, That these funds are available to subsidize the
21 total principal amount of any notes and other obligations,
22 any part of which is to be guaranteed, not to exceed
23 \$17,926,000: *Provided further*, That for administrative ex-
24 penses to carry out the guaranteed loan program, up to
25 \$150,000 from amounts in the first proviso, which shall

1 be transferred to and merged with the appropriation for
2 “Salaries and Expenses”.

3 NATIVE HAWAIIAN HOUSING BLOCK GRANT

4 For the Native Hawaiian Housing Block Grant pro-
5 gram, as authorized under title VIII of the Native Amer-
6 ican Housing Assistance and Self-Determination Act of
7 1996 (25 U.S.C. 4111 et seq.), \$8,815,000, to remain
8 available until expended, of which \$352,606 shall be for
9 training and technical assistance activities.

10 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

11 ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of guaranteed loans, as authorized by
14 section 184 of the Housing and Community Development
15 Act of 1992 (12 U.S.C. 1715z–13a), \$2,645,000, to re-
16 main available until expended: *Provided*, That such costs,
17 including the costs of modifying such loans, shall be as
18 defined in section 502 of the Congressional Budget Act
19 of 1974, as amended: *Provided further*, That these funds
20 are available to subsidize total loan principal, any part of
21 which is to be guaranteed, not to exceed \$98,966,942.

22 In addition, for administrative expenses to carry out
23 the guaranteed loan program, up to \$250,000 from
24 amounts in the first paragraph, which shall be transferred
25 to and merged with the appropriation for “Salaries and
26 Expenses”.

1 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND
2 PROGRAM ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For the cost of guaranteed loans, as authorized by
5 section 184A of the Housing and Community Develop-
6 ment Act of 1992 (12 U.S.C. 1715z–13b), \$882,000, to
7 remain available until expended: *Provided*, That such
8 costs, including the costs of modifying such loans, shall
9 be as defined in section 502 of the Congressional Budget
10 Act of 1974, as amended: *Provided further*, That these
11 funds are available to subsidize total loan principal, any
12 part of which is to be guaranteed, not to exceed
13 \$35,000,000.

14 In addition, for administrative expenses to carry out
15 the guaranteed loan program, up to \$35,000 from
16 amounts in the first paragraph, which shall be transferred
17 to and merged with the appropriation for “Salaries and
18 Expenses.”

19 COMMUNITY PLANNING AND DEVELOPMENT
20 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

21 For carrying out the Housing Opportunities for Per-
22 sons with AIDS program, as authorized by the AIDS
23 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
24 \$285,000,000 to remain available until September 30,
25 2007, except that amounts allocated pursuant to section
26 854(c)(3) of such Act shall remain available until Sep-

1 tember 30, 2008: *Provided*, That the Secretary shall renew
2 all expiring contracts for permanent supportive housing
3 that were funded under section 854(c)(3) of such Act that
4 meet all program requirements before awarding funds for
5 new contracts and activities authorized under this section:
6 *Provided further*, That the Secretary may use up to
7 \$1,000,000 of the funds under this heading for training,
8 oversight, and technical assistance activities.

9 RURAL HOUSING AND ECONOMIC DEVELOPMENT

10 For the Office of Rural Housing and Economic De-
11 velopment in the Department of Housing and Urban De-
12 velopment, \$10,000,000 to remain available until ex-
13 pended, which amount shall be competitively awarded by
14 September 1, 2006, to Indian tribes, State housing finance
15 agencies, State community and/or economic development
16 agencies, local rural nonprofits and community develop-
17 ment corporations to support innovative housing and eco-
18 nomic development activities in rural areas.

19 COMMUNITY DEVELOPMENT FUND

20 (INCLUDING TRANSFERS OF FUNDS)

21 For assistance to units of State and local govern-
22 ment, and to other entities, for economic and community
23 development activities, and for other purposes,
24 \$4,151,500,000, to remain available until September 30,
25 2008, unless otherwise specified: *Provided*, That of the
26 amount provided, \$3,859,900,000 is for carrying out the

1 community development block grant program under title
2 I of the Housing and Community Development Act of
3 1974, as amended (the “Act” herein) (42 U.S.C. 5301 et
4 seq.): *Provided further*, That unless explicitly provided for
5 under this heading not to exceed 20 percent of any grant
6 made with funds appropriated under this heading shall be
7 expended for planning and management development and
8 administration: *Provided further*, That \$1,600,000 shall be
9 transferred to the Working Capital Fund.

10 Of the amount made available under this heading,
11 \$290,000,000 shall be available for grants for the Eco-
12 nomic Development Initiative (EDI) to finance a variety
13 of targeted economic investments in accordance with the
14 terms and conditions specified in the statement of man-
15 agers accompanying this Act: *Provided*, That none of the
16 funds provided under this paragraph may be used for pro-
17 gram operations.

18 HOME INVESTMENT PARTNERSHIPS PROGRAM
19 (INCLUDING TRANSFER OF FUNDS)

20 For the HOME investment partnerships program, as
21 authorized under title II of the Cranston-Gonzalez Na-
22 tional Affordable Housing Act, as amended,
23 \$1,850,000,000 to remain available until September 30,
24 2008: *Provided*, That of the total amount provided in this
25 paragraph, up to \$41,700,000 shall be available for hous-
26 ing counseling under section 106 of the Housing and

1 Urban Development Act of 1968, and \$1,000,000 shall be
2 transferred to the Working Capital Fund.

3 In addition to amounts otherwise made available
4 under this heading, \$50,000,000, to remain available until
5 September 30, 2008, for assistance to homebuyers as au-
6 thorized under title I of the American Dream Downpay-
7 ment Act.

8 SELF-HELP AND ASSISTED HOMEOWNERSHIP

9 OPPORTUNITY PROGRAM

10 For the Self-Help and Assisted Homeownership Op-
11 portunity Program, \$60,800,000, to remain available until
12 September 30, 2008: *Provided*, That of the total amount
13 provided in this heading \$23,800,000 shall be made avail-
14 able to the Self Help Homeownership Opportunity Pro-
15 gram as authorized under section 11 of the Housing Op-
16 portunity Program Extension Act of 1996 as amended:
17 *Provided further*, That \$28,000,000 shall be made avail-
18 able for capacity building, of which \$27,000,000 shall be
19 for capacity building for Community Development and af-
20 fordable Housing for LIHC and the Enterprise Founda-
21 tion for activities authorized by Section 4 of the HUD
22 Demonstration Act of 1993 (42 USC 9816 note), as in
23 effect immediately before June 12, 1997 and \$1,000,000
24 shall be made available for capacity building activities ad-
25 ministered by Habitat for Humanity International: *Pro-*
26 *vided further*, That \$3,000,000 shall be made available to

1 the Housing Assistance Council, \$1,000,000 shall be made
2 available to the Native American Indian Housing Council,
3 \$4,000,000 shall be made available to the Housing Part-
4 nership Network, and \$1,000,000 shall be made available
5 to the Special Olympics, to remain available until Sep-
6 tember 30, 2008.

7 HOMELESS ASSISTANCE GRANTS

8 (INCLUDING TRANSFER OF FUNDS)

9 For the emergency shelter grants program as author-
10 ized under subtitle B of title IV of the McKinney-Vento
11 Homeless Assistance Act, as amended; the supportive
12 housing program as authorized under subtitle C of title
13 IV of such Act; the section 8 moderate rehabilitation sin-
14 gle room occupancy program as authorized under the
15 United States Housing Act of 1937, as amended, to assist
16 homeless individuals pursuant to section 441 of the
17 McKinney-Vento Homeless Assistance Act; and the shelter
18 plus care program as authorized under subtitle F of title
19 IV of such Act, \$1,340,000,000, of which \$1,320,000,000
20 shall remain available until September 30, 2008, and of
21 which \$20,000,000 shall remain available until expended:
22 *Provided*, That not less than 30 percent of funds made
23 available, excluding amounts provided for renewals under
24 the shelter plus care program, shall be used for permanent
25 housing: *Provided further*, That all funds awarded for
26 services shall be matched by 25 percent in funding by each

1 grantee: *Provided further*, That the Secretary shall renew
2 on an annual basis expiring contracts or amendments to
3 contracts funded under the shelter plus care program if
4 the program is determined to be needed under the applica-
5 ble continuum of care and meets appropriate program re-
6 quirements and financial standards, as determined by the
7 Secretary: *Provided further*, That all awards of assistance
8 under this heading shall be required to coordinate and in-
9 tegrate homeless programs with other mainstream health,
10 social services, and employment programs for which home-
11 less populations may be eligible, including Medicaid, State
12 Children’s Health Insurance Program, Temporary Assist-
13 ance for Needy Families, Food Stamps, and services fund-
14 ing through the Mental Health and Substance Abuse
15 Block Grant, Workforce Investment Act, and the Welfare-
16 to-Work grant program: *Provided further*, That up to
17 \$11,674,000 of the funds appropriated under this heading
18 shall be available for the national homeless data analysis
19 project and technical assistance: *Provided further*, That
20 \$1,000,000 of the funds appropriated under this heading
21 shall be transferred to the Working Capital Fund: *Pro-*
22 *vided further*, That all balances for Shelter Plus Care re-
23 newals previously funded from the Shelter Plus Care Re-
24 newal account and transferred to this account be available,

1 if recaptured, for Shelter Plus Care renewals in fiscal year
2 2006.

3 HOUSING PROGRAMS

4 HOUSING FOR THE ELDERLY

5 (INCLUDING TRANSFER OF FUNDS)

6 For capital advances, including amendments to cap-
7 ital advance contracts, for housing for the elderly, as au-
8 thorized by section 202 of the Housing Act of 1959, as
9 amended, and for project rental assistance for the elderly
10 under section 202(c)(2) of such Act, including amend-
11 ments to contracts for such assistance and renewal of ex-
12 piring contracts for such assistance for up to a 1-year
13 term, and for supportive services associated with the hous-
14 ing, \$741,000,000, to remain available until September
15 30, 2009, of which amount \$49,600,000 shall be for serv-
16 ice coordinators and the continuation of existing con-
17 gregate service grants for residents of assisted housing
18 projects, and of which amount up to \$24,800,000 shall
19 be for grants under section 202b of the Housing Act of
20 1959 (12 U.S.C. 1701q-2) for conversion of eligible
21 projects under such section to assisted living or related
22 use and for emergency capital repairs as determined by
23 the Secretary: *Provided*, That amounts made available
24 under this heading shall be available for Real Estate As-
25 sessment Center inspections and inspection-related activi-
26 ties associated with section 202 capital advance projects:

1 *Provided further*, That \$400,000 shall be transferred to
2 the Working Capital Fund: *Provided further*, That the
3 Secretary may waive the provisions of section 202 gov-
4 erning the terms and conditions of project rental assist-
5 ance, except that the initial contract term for such assist-
6 ance shall not exceed 5 years in duration.

7 HOUSING FOR PERSONS WITH DISABILITIES

8 (INCLUDING TRANSFER OF FUNDS)

9 For capital advance contracts, including amendments
10 to capital advance contracts, for supportive housing for
11 persons with disabilities, as authorized by section 811 of
12 the Cranston-Gonzalez National Affordable Housing Act,
13 for project rental assistance for supportive housing for
14 persons with disabilities under section 811(d)(2) of such
15 Act, including amendments to contracts for such assist-
16 ance and renewal of expiring contracts for such assistance
17 for up to a 1-year term, and for supportive services associ-
18 ated with the housing for persons with disabilities as au-
19 thorized by section 811(b)(1) of such Act, and for tenant-
20 based rental assistance contracts entered into pursuant to
21 section 811 of such Act, \$238,100,000 to remain available
22 until September 30, 2009: *Provided*, That \$400,000 shall
23 be transferred to the Working Capital Fund: *Provided fur-*
24 *ther*, That, of the amount provided under this heading
25 \$78,300,000 shall be for amendments or renewal of ten-
26 ant-based assistance contracts entered into prior to fiscal

1 year 2005 (only one amendment authorized for any such
2 contract): *Provided further*, That of the amount provided
3 under this heading, the Secretary may make available up
4 to \$5,000,000 for incremental tenant-based rental assist-
5 ance, as authorized by section 811 of such Act (which as-
6 sistance is 5 years in duration): *Provided further*, That all
7 tenant-based assistance made available under this heading
8 shall continue to remain available only to persons with dis-
9 abilities: *Provided further*, That the Secretary may waive
10 the provisions of section 811 governing the terms and con-
11 ditions of project rental assistance and tenant-based as-
12 sistance, except that the initial contract term for such as-
13 sistance shall not exceed 5 years in duration: *Provided fur-*
14 *ther* That amounts made available under this heading
15 shall be available for Real Estate Assessment Center In-
16 spections and inspection-related activities associated with
17 Section 811 Capital Advance Projects.

18 OTHER ASSISTED HOUSING PROGRAMS

19 RENTAL HOUSING ASSISTANCE

20 For amendments to contracts under section 101 of
21 the Housing and Urban Development Act of 1965 (12
22 U.S.C. 1701s) and section 236(f)(2) of the National
23 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-in-
24 sured rental housing projects, \$26,400,000, to remain
25 available until expended.

1 FLEXIBLE SUBSIDY FUND

2 (TRANSFER OF FUNDS)

3 From the Rental Housing Assistance Fund, all un-
4 committed balances of excess rental charges as of Sep-
5 tember 30, 2005, and any collections made during fiscal
6 year 2006 and all subsequent fiscal years, shall be trans-
7 ferred to the Flexible Subsidy Fund, as authorized by sec-
8 tion 236(g) of the National Housing Act, as amended.

9 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

10 FUND

11 For necessary expenses as authorized by the National
12 Manufactured Housing Construction and Safety Stand-
13 ards Act of 1974, as amended (42 U.S.C. 5401 et seq.),
14 up to \$12,896,000 to remain available until expended, to
15 be derived from the Manufactured Housing Fees Trust
16 Fund: *Provided*, That not to exceed the total amount ap-
17 propriated under this heading shall be available from the
18 general fund of the Treasury to the extent necessary to
19 incur obligations and make expenditures pending the re-
20 ceipt of collections to the Fund pursuant to section 620
21 of such Act: *Provided further*, That the amount made
22 available under this heading from the general fund shall
23 be reduced as such collections are received during fiscal
24 year 2006 so as to result in a final fiscal year 2006 appro-
25 priation from the general fund estimated at not more than
26 \$0 and fees pursuant to such section 620 shall be modified

1 as necessary to ensure such a final fiscal year 2006 appro-
2 priation.

3 FEDERAL HOUSING ADMINISTRATION
4 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT
5 (INCLUDING TRANSFERS OF FUNDS)

6 During fiscal year 2006, commitments to guarantee
7 loans to carry out the purposes of section 203(b) of the
8 National Housing Act, as amended, shall not exceed a loan
9 principal of \$185,000,000,000.

10 During fiscal year 2006, obligations to make direct
11 loans to carry out the purposes of section 204(g) of the
12 National Housing Act, as amended, shall not exceed
13 \$50,000,000: *Provided*, That the foregoing amount shall
14 be for loans to nonprofit and governmental entities in con-
15 nection with sales of single family real properties owned
16 by the Secretary and formerly insured under the Mutual
17 Mortgage Insurance Fund.

18 For administrative expenses necessary to carry out
19 the guaranteed and direct loan program, \$355,000,000,
20 of which not to exceed \$351,000,000 shall be transferred
21 to the appropriation for “Salaries and expenses”; and not
22 to exceed \$4,000,000 shall be transferred to the appro-
23 priation for “Office of Inspector General”. In addition, for
24 administrative contract expenses, \$62,600,000, of which
25 \$18,281,000 shall be transferred to the Working Capital
26 Fund: *Provided*, That to the extent guaranteed loan com-

1 mitments exceed \$65,500,000,000 on or before April 1,
2 2006, an additional \$1,400 for administrative contract ex-
3 penses shall be available for each \$1,000,000 in additional
4 guaranteed loan commitments (including a pro rata
5 amount for any amount below \$1,000,000), but in no case
6 shall funds made available by this proviso exceed
7 \$30,000,000.

8 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT
9 (INCLUDING TRANSFERS OF FUNDS)

10 For the cost of guaranteed loans, as authorized by
11 sections 238 and 519 of the National Housing Act (12
12 U.S.C. 1715z-3 and 1735c), including the cost of loan
13 guarantee modifications, as that term is defined in section
14 502 of the Congressional Budget Act of 1974, as amend-
15 ed, \$8,800,000, to remain available until expended: *Pro-*
16 *vided*, That commitments to guarantee loans shall not ex-
17 ceed \$35,000,000,000 in total loan principal, any part of
18 which is to be guaranteed.

19 Gross obligations for the principal amount of direct
20 loans, as authorized by sections 204(g), 207(l), 238, and
21 519(a) of the National Housing Act, shall not exceed
22 \$50,000,000, of which not to exceed \$30,000,000 shall be
23 for bridge financing in connection with the sale of multi-
24 family real properties owned by the Secretary and for-
25 merly insured under such Act; and of which not to exceed
26 \$20,000,000 shall be for loans to nonprofit and govern-

1 mental entities in connection with the sale of single-family
2 real properties owned by the Secretary and formerly in-
3 sured under such Act.

4 In addition, for administrative expenses necessary to
5 carry out the guaranteed and direct loan programs,
6 \$231,400,000, of which \$211,400,000 shall be transferred
7 to the appropriation for “Salaries and Expenses”; and of
8 which \$20,000,000 shall be transferred to the appropria-
9 tion for “Office of Inspector General”.

10 In addition, for administrative contract expenses nec-
11 essary to carry out the guaranteed and direct loan pro-
12 grams, \$71,900,000, of which \$10,800,000 shall be trans-
13 ferred to the Working Capital Fund: *Provided*, That to
14 the extent guaranteed loan commitments exceed
15 \$8,426,000,000 on or before April 1, 2006, an additional
16 \$1,980 for administrative contract expenses shall be avail-
17 able for each \$1,000,000 in additional guaranteed loan
18 commitments over \$8,426,000,000 (including a pro rata
19 amount for any increment below \$1,000,000), but in no
20 case shall funds made available by this proviso exceed
21 \$14,400,000.

1 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
2 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
3 GUARANTEE PROGRAM ACCOUNT
4 (INCLUDING TRANSFER OF FUNDS)

5 New commitments to issue guarantees to carry out
6 the purposes of section 306 of the National Housing Act,
7 as amended (12 U.S.C. 1721(g)), shall not exceed
8 \$200,000,000,000, to remain available until September
9 30, 2007.

10 For administrative expenses necessary to carry out
11 the guaranteed mortgage-backed securities program,
12 \$10,700,000, to be derived from the GNMA guarantees
13 of mortgage-backed securities guaranteed loan receipt ac-
14 count, of which not to exceed \$10,700,000, shall be trans-
15 ferred to the appropriation for “Salaries and Expenses”.

16 POLICY DEVELOPMENT AND RESEARCH
17 RESEARCH AND TECHNOLOGY

18 For contracts, grants, and necessary expenses of pro-
19 grams of research and studies relating to housing and
20 urban problems, not otherwise provided for, as authorized
21 by title V of the Housing and Urban Development Act
22 of 1970, as amended (12 U.S.C. 1701z-1 et seq.), includ-
23 ing carrying out the functions of the Secretary under sec-
24 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,
25 \$60,600,000, to remain available until September 30,
26 2007: *Provided*, That of the total amount provided under

1 this heading, \$5,000,000 shall be for the Partnership for
2 Advancing Technology in Housing (PATH) Initiative:
3 *Provided further*, That of the amounts made available for
4 PATH under this heading, \$2,500,000 shall not be subject
5 to the requirements of section 305 of this title: *Provided*
6 *further*, That of funds made available under this heading,
7 \$750,000 shall be transferred to the National Research
8 Council for a study in accordance with the accompanying
9 Report: *Provided further*, That \$29,038,000 is for grants
10 pursuant to section 107 of the Housing and Community
11 Development Act of 1974, as amended, as follows:
12 \$2,989,000 to support Alaska Native serving institutions
13 and Native Hawaiian serving institutions as defined under
14 the Higher Education Act, as amended; \$2,562,000 for
15 tribal colleges and universities to build, expand, renovate,
16 and equip their facilities and to expand the role of the
17 colleges into the community through the provision of need-
18 ed services such as health programs, job training and eco-
19 nomic development activities; \$8,967,000 for Historically
20 Black Colleges and Universities program, of which up to
21 \$2,000,000 may be used for technical assistance;
22 \$5,979,000 for the Community Outreach Partnership Pro-
23 gram; \$5,979,000 for the Hispanic Serving Institutions
24 Program; and \$2,562,000 for the Community Develop-
25 ment Work Study Program.

1 FAIR HOUSING AND EQUAL OPPORTUNITY

2 FAIR HOUSING ACTIVITIES

3 For contracts, grants, and other assistance, not oth-
4 erwise provided for, as authorized by title VIII of the Civil
5 Rights Act of 1968, as amended by the Fair Housing
6 Amendments Act of 1988, and section 561 of the Housing
7 and Community Development Act of 1987, as amended,
8 \$38,800,000, to remain available until September 30,
9 2007, of which \$16,100,000 shall be to carry out activities
10 pursuant to such section 561: *Provided*, That no funds
11 made available under this heading shall be used to lobby
12 the executive or legislative branches of the Federal Gov-
13 ernment in connection with a specific contract, grant or
14 loan.

15 OFFICE OF LEAD HAZARD CONTROL

16 LEAD HAZARD REDUCTION

17 For the Lead Hazard Reduction Program, as author-
18 ized by section 1011 of the Residential Lead-Based Paint
19 Hazard Reduction Act of 1992, \$119,000,000, to remain
20 available until September 30, 2007, of which \$8,800,000
21 shall be for the Healthy Homes Initiative, pursuant to sec-
22 tions 501 and 502 of the Housing and Urban Develop-
23 ment Act of 1970 that shall include research, studies, test-
24 ing, and demonstration efforts, including education and
25 outreach concerning lead-based paint poisoning and other

1 housing-related diseases and hazards: *Provided*, That for
2 purposes of environmental review, pursuant to the Na-
3 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
4 et seq.) and other provisions of law that further the pur-
5 poses of such Act, a grant under the Healthy Homes Ini-
6 tiative, Operation Lead Elimination Action Plan (LEAP),
7 or the Lead Technical Studies program under this heading
8 or under prior appropriations Acts for such purposes
9 under this heading, shall be considered to be funds for
10 a special project for purposes of section 305(c) of the Mul-
11 tifamily Housing Property Disposition Reform Act of
12 1994.

13 MANAGEMENT AND ADMINISTRATION

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary administrative and non-administrative
17 expenses of the Department of Housing and Urban Devel-
18 opment, not otherwise provided for, including purchase of
19 uniforms, or allowances therefore, as authorized by 5
20 U.S.C. 5901–5902; hire of passenger motor vehicles; serv-
21 ices as authorized by 5 U.S.C. 3109; and not to exceed
22 \$25,000 for official reception and representation expenses,
23 \$1,152,535,000, of which \$562,400,000 shall be provided
24 from the various funds of the Federal Housing Adminis-
25 tration, \$10,700,000 shall be provided from funds of the
26 Government National Mortgage Association, \$150,000

1 shall be provided by transfer from the “Native American
2 housing block grants” account, \$250,000 shall be provided
3 by transfer from the “Indian housing loan guarantee fund
4 program” account and \$35,000 shall be transferred from
5 the “Native Hawaiian housing loan guarantee fund” ac-
6 count: *Provided*, That funds made available under this
7 heading shall only be allocated in the manner specified in
8 the Report accompanying this Act unless the Committees
9 on Appropriations of both the House of Representatives
10 and the Senate are notified of any changes in an operating
11 plan or reprogramming: *Provided further*, That no official
12 or employee of the Department shall be designated as an
13 allotment holder unless the Office of the Chief Financial
14 Officer (OCFO) has determined that such allotment hold-
15 er has implemented an adequate system of funds control
16 and has received training in funds control procedures and
17 directives: *Provided further*, That the Chief Financial Offi-
18 cer shall establish positive control of and maintain ade-
19 quate systems of accounting for appropriations and other
20 available funds as required by 31 U.S.C. 1514: *Provided*
21 *further*, That for purposes of funds control and deter-
22 mining whether a violation exists under the Anti-Defi-
23 ciency Act (31 U.S.C. 1341 et seq.), the point of obligation
24 shall be the executed agreement or contract, except with
25 respect to insurance and guarantee programs, certain

1 types of salaries and expenses funding, and incremental
2 funding that is authorized under an executed agreement
3 or contract, and shall be designated in the approved funds
4 control plan: *Provided further*, That the Chief Financial
5 Officer shall: (1) appoint qualified personnel to conduct
6 investigations of potential or actual violations; (2) estab-
7 lish minimum training requirements and other qualifica-
8 tions for personnel that may be appointed to conduct in-
9 vestigations; (3) establish guidelines and timeframes for
10 the conduct and completion of investigations; (4) prescribe
11 the content, format and other requirements for the sub-
12 mission of final reports on violations; and (5) prescribe
13 such additional policies and procedures as may be required
14 for conducting investigations of, and administering, proc-
15 essing, and reporting on, potential and actual violations
16 of the Anti-Deficiency Act and all other statutes and regu-
17 lations governing the obligation and expenditure of funds
18 made available in this or any other Act: *Provided further*,
19 That up to \$15,000,000 may be transferred to the Work-
20 ing Capital Fund.

21 WORKING CAPITAL FUND

22 For additional capital for the Working Capital Fund
23 (42 U.S.C. 3535) for the development of, modifications
24 to, and infrastructure for Department-wide information
25 technology systems, for the continuing operation of both
26 Department-wide and program-specific information sys-

1 tems, and for program-related development activities,
2 \$165,000,000, to remain available until September 30,
3 2007: *Provided*, That any amounts transferred to this
4 Fund under this Act shall remain available until expended:
5 *Provided further*, That any amounts transferred to this
6 Fund from amounts appropriated by previously enacted
7 appropriations Acts or from within this Act may be used
8 for the purposes specified under this Fund, in addition
9 to the purposes for which such amounts were appro-
10 priated.

11 OFFICE OF INSPECTOR GENERAL

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of the Office of Inspector
14 General in carrying out the Inspector General Act of 1978,
15 as amended, \$103,000,000, of which \$24,000,000 shall be
16 provided from the various funds of the Federal Housing
17 Administration: *Provided*, That the Inspector General
18 shall have independent authority over all personnel issues
19 within this office.

20 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFER OF FUNDS)

23 For carrying out the Federal Housing Enterprises
24 Financial Safety and Soundness Act of 1992, including
25 not to exceed \$500 for official reception and representa-
26 tion expenses, \$60,000,000, to remain available until ex-

1 pending, to be derived from the Federal Housing Enter-
2 prises Oversight Fund: *Provided*, That of the amount
3 made available under this heading, \$5,000,000 is for liti-
4 gation and to continue ongoing special investigations of
5 the Federal housing enterprises: *Provided further*, That
6 the Director shall submit a spending plan for the amounts
7 provided under this heading no later than January 15,
8 2005: *Provided further*, That not less than 80 percent of
9 total amount made available under this heading shall be
10 used only for examination, supervision, and capital over-
11 sight of the enterprises (as such term is defined in section
12 1303 of the Federal Housing Enterprises Financial Safety
13 and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure
14 that the enterprises are operating in a financially safe and
15 sound manner and complying with the capital require-
16 ments under Subtitle B of such Act: *Provided further*,
17 That not to exceed the amount provided herein shall be
18 available from the general fund of the Treasury to the ex-
19 tent necessary to incur obligations and make expenditures
20 pending the receipt of collections to the Fund: *Provided*
21 *further*, That the general fund amount shall be reduced
22 as collections are received during the fiscal year so as to
23 result in a final appropriation from the general fund esti-
24 mated at not more than \$0.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 301. Fifty percent of the amounts of budget au-
3 thority, or in lieu thereof 50 percent of the cash amounts
4 associated with such budget authority, that are recaptured
5 from projects described in section 1012(a) of the Stewart
6 B. McKinney Homeless Assistance Amendments Act of
7 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the
8 case of cash, shall be remitted to the Treasury, and such
9 amounts of budget authority or cash recaptured and not
10 rescinded or remitted to the Treasury shall be used by
11 State housing finance agencies or local governments or
12 local housing agencies with projects approved by the Sec-
13 retary of Housing and Urban Development for which set-
14 tlement occurred after January 1, 1992, in accordance
15 with such section. Notwithstanding the previous sentence,
16 the Secretary may award up to 15 percent of the budget
17 authority or cash recaptured and not rescinded or remitted
18 to the Treasury to provide project owners with incentives
19 to refinance their project at a lower interest rate.

20 SEC. 302. None of the amounts made available under
21 this Act may be used during fiscal year 2006 to investigate
22 or prosecute under the Fair Housing Act any otherwise
23 lawful activity engaged in by one or more persons, includ-
24 ing the filing or maintaining of a non-frivolous legal ac-
25 tion, that is engaged in solely for the purpose of achieving

1 or preventing action by a Government official or entity,
2 or a court of competent jurisdiction.

3 SEC. 303. (a) Notwithstanding section 854(c)(1)(A)
4 of the AIDS Housing Opportunity Act (42 U.S.C.
5 12903(c)(1)(A)), from any amounts made available under
6 this title for fiscal year 2006 that are allocated under such
7 section, the Secretary of Housing and Urban Development
8 shall allocate and make a grant, in the amount determined
9 under subsection (b), for any State that—

10 (1) received an allocation in a prior fiscal year
11 under clause (ii) of such section; and

12 (2) is not otherwise eligible for an allocation for
13 fiscal year 2006 under such clause (ii) because the
14 areas in the State outside of the metropolitan statis-
15 tical areas that qualify under clause (i) in fiscal year
16 2006 do not have the number of cases of acquired
17 immunodeficiency syndrome (AIDS) required under
18 such clause.

19 (b) The amount of the allocation and grant for any
20 State described in subsection (a) shall be an amount based
21 on the cumulative number of AIDS cases in the areas of
22 that State that are outside of metropolitan statistical
23 areas that qualify under clause (i) of such section
24 854(c)(1)(A) in fiscal year 2006, in proportion to AIDS
25 cases among cities and States that qualify under clauses

1 (i) and (ii) of such section and States deemed eligible
2 under subsection (a).

3 (c) Notwithstanding any other provision of law, the
4 amount allocated for fiscal year 2006 under section 854(c)
5 of the AIDS Housing Opportunity Act (42 U.S.C.
6 12903(c)), to the City of New York, New York, on behalf
7 of the New York-Wayne-White Plains, New York-New
8 Jersey Metropolitan Division (hereafter “metropolitan di-
9 vision”) of the New York-Newark-Edison, NY-NJ-PA
10 Metropolitan Statistical Area, shall be adjusted by the
11 Secretary of Housing and Urban Development by: (1) allo-
12 cating to the City of Jersey City, New Jersey, the propor-
13 tion of the metropolitan area’s or division’s amount that
14 is based on the number of cases of AIDS reported in the
15 portion of the metropolitan area or division that is located
16 in Hudson County, New Jersey, and adjusting for the pro-
17 portion of the metropolitan division’s high incidence bonus
18 if this area in New Jersey also has a higher than average
19 per capita incidence of AIDS; and (2) allocating to the
20 City of Paterson, New Jersey, the proportion of the metro-
21 politan area’s or division’s amount that is based on the
22 number of cases of AIDS reported in the portion of the
23 metropolitan area or division that is located in Bergen
24 County and Passaic County, New Jersey, and adjusting
25 for the proportion of the metropolitan division’s high inci-

1 dence bonus if this area in New Jersey also has a higher
2 than average per capita incidence of AIDS. The recipient
3 cities shall use amounts allocated under this subsection
4 to carry out eligible activities under section 855 of the
5 AIDS Housing Opportunity Act (42 U.S.C. 12904) in
6 their respective portions of the metropolitan division that
7 is located in New Jersey.

8 (d) Notwithstanding any other provision of law, the
9 amount allocated for fiscal year 2006 under section 854(c)
10 of the AIDS Housing Opportunity Act (42 U.S.C.
11 12903(c)) to areas with a higher than average per capita
12 incidence of AIDS, shall be adjusted by the Secretary on
13 the basis of area incidence reported over a three year pe-
14 riod.

15 SEC. 304. (a) During fiscal year 2006, in the provi-
16 sion of rental assistance under section 8(o) of the United
17 States Housing Act of 1937 (42 U.S.C. 1437f(o)) in con-
18 nection with a program to demonstrate the economy and
19 effectiveness of providing such assistance for use in as-
20 sisted living facilities that is carried out in the counties
21 of the State of Michigan notwithstanding paragraphs (3)
22 and (18)(B)(iii) of such section 8(o), a family residing in
23 an assisted living facility in any such county, on behalf
24 of which a public housing agency provides assistance pur-
25 suant to section 8(o)(18) of such Act, may be required,

1 at the time the family initially receives such assistance,
2 to pay rent in an amount exceeding 40 percent of the
3 monthly adjusted income of the family by such a percent-
4 age or amount as the Secretary of Housing and Urban
5 Development determines to be appropriate.

6 SEC. 305. Except as explicitly provided in law, any
7 grant, cooperative agreement or other assistance made
8 pursuant to title III of this Act shall be made on a com-
9 petitive basis and in accordance with section 102 of the
10 Department of Housing and Urban Development Reform
11 Act of 1989.

12 SEC. 306. Funds of the Department of Housing and
13 Urban Development subject to the Government Corpora-
14 tion Control Act or section 402 of the Housing Act of
15 1950 shall be available, without regard to the limitations
16 on administrative expenses, for legal services on a contract
17 or fee basis, and for utilizing and making payment for
18 services and facilities of the Federal National Mortgage
19 Association, Government National Mortgage Association,
20 Federal Home Loan Mortgage Corporation, Federal Fi-
21 nancing Bank, Federal Reserve banks or any member
22 thereof, Federal Home Loan banks, and any insured bank
23 within the meaning of the Federal Deposit Insurance Cor-
24 poration Act, as amended (12 U.S.C. 1811–1831).

1 SEC. 307. Unless otherwise provided for in this Act
2 or through a reprogramming of funds, no part of any ap-
3 propriation for the Department of Housing and Urban
4 Development shall be available for any program, project
5 or activity in excess of amounts set forth in the budget
6 estimates submitted to Congress.

7 SEC. 308. Corporations and agencies of the Depart-
8 ment of Housing and Urban Development which are sub-
9 ject to the Government Corporation Control Act, as
10 amended, are hereby authorized to make such expendi-
11 tures, within the limits of funds and borrowing authority
12 available to each such corporation or agency and in ac-
13 cordance with law, and to make such contracts and com-
14 mitments without regard to fiscal year limitations as pro-
15 vided by section 104 of such Act as may be necessary in
16 carrying out the programs set forth in the budget for 2006
17 for such corporation or agency except as hereinafter pro-
18 vided: *Provided*, That collections of these corporations and
19 agencies may be used for new loan or mortgage purchase
20 commitments only to the extent expressly provided for in
21 this Act (unless such loans are in support of other forms
22 of assistance provided for in this or prior appropriations
23 Acts), except that this proviso shall not apply to the mort-
24 gage insurance or guaranty operations of these corpora-
25 tions, or where loans or mortgage purchases are necessary

1 to protect the financial interest of the United States Gov-
2 ernment.

3 SEC. 309. None of the funds provided in this title
4 for technical assistance, training, or management improve-
5 ments may be obligated or expended unless HUD provides
6 to the Committees on Appropriations a description of each
7 proposed activity and a detailed budget estimate of the
8 costs associated with each program, project or activity as
9 part of the Budget Justifications. For fiscal year 2006,
10 HUD shall transmit this information to the Committees
11 by March 15, 2006 for 30 days of review.

12 SEC. 310. The Secretary of Housing and Urban De-
13 velopment shall provide quarterly reports to the House
14 and Senate Committees on Appropriations regarding all
15 uncommitted, unobligated, recaptured and excess funds in
16 each program and activity within the jurisdiction of the
17 Department and shall submit additional, updated budget
18 information to these Committees upon request.

19 SEC. 311. Notwithstanding any other provision of
20 law, in fiscal year 2006, in managing and disposing of any
21 multifamily property that is owned or held by the Sec-
22 retary and is occupied primarily by elderly or disabled
23 families, the Secretary of Housing and Urban Develop-
24 ment shall maintain any rental assistance payments under
25 section 8 of the United States Housing Act of 1937 that

1 are attached to any dwelling units in the property. To the
2 extent the Secretary determines that such a multifamily
3 property owned or held by the Secretary is not feasible
4 for continued rental assistance payments under such sec-
5 tion 8, the Secretary may, in consultation with the tenants
6 of that property, contract for project-based rental assist-
7 ance payments with an owner or owners of other existing
8 housing properties or provide other rental assistance.

9 SEC. 312. (a) Notwithstanding any other provision
10 of law, the amount allocated for fiscal year 2006 under
11 section 854(c) of the AIDS Housing Opportunity Act (42
12 U.S.C. 12903(e)), to the City of Wilmington, Delaware,
13 on behalf of the Wilmington, Delaware-Maryland-New
14 Jersey Metropolitan Division (hereafter “metropolitan di-
15 vision”), shall be adjusted by the Secretary of Housing
16 and Urban Development by allocating to the State of New
17 Jersey the proportion of the metropolitan division’s
18 amount that is based on the number of cases of AIDS
19 reported in the portion of the metropolitan division that
20 is located in New Jersey, and adjusting for the proportion
21 of the metropolitan division’s high incidence bonus if this
22 area in New Jersey also has a higher than average per
23 capita incidence of AIDS. The State of New Jersey shall
24 use amounts allocated to the State under this subsection
25 to carry out eligible activities under section 855 of the

1 AIDS Housing Opportunity Act (42 U.S.C. 12904) in the
2 portion of the metropolitan division that is located in New
3 Jersey.

4 (b) Notwithstanding any other provision of law, the
5 Secretary of Housing and Urban Development shall allo-
6 cate to Wake County, North Carolina, the amounts that
7 otherwise would be allocated for fiscal year 2006 under
8 section 854(c) of the AIDS Housing Opportunity Act (42
9 U.S.C. 12903(c)) to the City of Raleigh, North Carolina,
10 on behalf of the Raleigh-Cary, North Carolina Metropoli-
11 tan Statistical Area. Any amounts allocated to Wake
12 County shall be used to carry out eligible activities under
13 section 855 of such Act (42 U.S.C. 12904) within such
14 metropolitan statistical area.

15 (c) Notwithstanding section 854(c) of the AIDS
16 Housing Opportunity Act (42 U.S.C. 12903(c)), the Sec-
17 retary of Housing and Urban Development may adjust the
18 allocation of the amounts that otherwise would be allo-
19 cated for fiscal year 2006 under section 854(c) of such
20 Act, upon the written request of an applicant, in conjunc-
21 tion with the State(s), for a formula allocation on behalf
22 of a metropolitan statistical area, to designate the State
23 or States in which the metropolitan statistical area is lo-
24 cated as the eligible grantee(s) of the allocation. In the
25 case that a metropolitan statistical area involves more

1 than one State, such amounts allocated to each State shall
2 be in proportion to the number of cases of AIDS reported
3 in the portion of the metropolitan statistical area located
4 in that State. Any amounts allocated to a State under this
5 section shall be used to carry out eligible activities within
6 the portion of the metropolitan statistical area located in
7 that State.

8 SEC. 313. Notwithstanding any other provision of
9 law, for this fiscal year and every fiscal year thereafter,
10 funds appropriated for housing for the elderly, as author-
11 ized by section 202 of the Housing Act of 1959, as amend-
12 ed, and for supportive housing for persons with disabil-
13 ities, as authorized by section 811 of the Cranston-Gon-
14 zalez National Affordable Housing Act, shall be available
15 for the cost of maintaining and disposing of such prop-
16 erties that are acquired or otherwise become the responsi-
17 bility of the Department.

18 SEC. 314. The Secretary of Housing and Urban De-
19 velopment shall submit an annual report no later than Au-
20 gust 30, 2006 and annually thereafter to the House and
21 Senate Committees on Appropriations regarding the num-
22 ber of Federally assisted units under lease and the per
23 unit cost of these units to the Department of Housing and
24 Urban Development.

1 SEC. 315. The Department of Housing and Urban
2 Development shall submit the Department's fiscal year
3 2006 congressional budget justifications to the Commit-
4 tees on Appropriations of the House of Representatives
5 and the Senate using the identical structure provided
6 under this Act and only in accordance with the direction
7 specified in the report accompanying this Act.

8 SEC. 316. That incremental vouchers previously made
9 available under the heading "Housing Certificate Fund"
10 or renewed under the heading, "Tenant-Based Rental As-
11 sistance," for non-elderly disabled families shall, to the ex-
12 tent practicable, continue to be provided to non-elderly dis-
13 abled families upon turnover.

14 SEC. 317. A public housing agency or such other enti-
15 ty that administers Federal housing assistance in the
16 States of Alaska, Iowa, and Mississippi shall not be re-
17 quired to include a resident of public housing or a recipi-
18 ent of assistance provided under section 8 of the United
19 States Housing Act of 1937 on the board of directors or
20 a similar governing board of such agency or entity as re-
21 quired under section (2)(b) of such Act. Each public hous-
22 ing agency or other entity that administers Federal hous-
23 ing assistance under section 8 in the States of Alaska,
24 Iowa and Mississippi shall establish an advisory board of
25 not less than 6 residents of public housing or recipients

1 of section 8 assistance to provide advice and comment to
2 the public housing agency or other administering entity
3 on issues related to public housing and section 8. Such
4 advisory board shall meet not less than quarterly.

5 SEC. 318. The funds made available for Native Alas-
6 kans under the heading “Native American Housing Block
7 Grants” in title II of this Act shall be allocated to the
8 same Native Alaskan housing block grant recipients that
9 received funds in fiscal year 2005.

10 SEC. 319. No funds provided under this title may be
11 used for an audit of the Government National Mortgage
12 Association that makes applicable requirements under the
13 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

14 SEC. 320. CLARIFICATION REGARDING MORTGAGE
15 INSURANCE FOR PURCHASE OF EXISTING HEALTH CARE
16 FACILITIES.—Section 223(f)(1) of the National Housing
17 Act is amended by inserting “purchase or” immediately
18 before “refinancing of existing debt”.

19 SEC. 321. Notwithstanding any other provision of
20 law, for fiscal year 2006 and thereafter, all mortgagees
21 receiving interest reduction payments under section 236
22 of the National Housing Act (12 U.S.C. 1715z–1) shall
23 submit only electronic invoices to the Department of
24 Housing and Development in order to receive such pay-
25 ments. The mortgagees shall comply with this requirement

1 no later than 90 days from the date of enactment of this
2 provision.

3 SEC. 322. Notwithstanding any other provision of
4 law, the recipient of a grant under section 202b of the
5 Housing Act of 1959 (12 U.S.C. 1701q–2) after Decem-
6 ber 26, 2000, in accordance with the unnumbered para-
7 graph at the end of section 202b(b) of such Act, may, at
8 its option, establish a single-asset nonprofit entity to own
9 the project and may lend the grant funds to such entity,
10 which may be a private nonprofit organization described
11 in section 831 of the American Homeownership and Eco-
12 nomic Opportunity Act of 2000.

13 TITLE IV—THE JUDICIARY

14 SUPREME COURT OF THE UNITED STATES

15 SALARIES AND EXPENSES

16 For expenses necessary for the operation of the Su-
17 preme Court, as required by law, excluding care of the
18 building and grounds, including purchase or hire, driving,
19 maintenance, and operation of an automobile for the Chief
20 Justice, not to exceed \$10,000 for the purpose of trans-
21 porting Associate Justices, and hire of passenger motor
22 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
23 to exceed \$10,000 for official reception and representation
24 expenses; and for miscellaneous expenses, to be expended

1 as the Chief Justice may approve, \$60,730,000, of which
2 \$2,000,000 shall remain available until expended.

3 CARE OF THE BUILDING AND GROUNDS

4 For such expenditures as may be necessary to enable
5 the Architect of the Capitol to carry out the duties im-
6 posed upon the Architect by the Act approved May 7,
7 1934 (40 U.S.C. 13a–13b), \$5,624,000, which shall re-
8 main available until expended.

9 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
10 CIRCUIT

11 SALARIES AND EXPENSES

12 For salaries of the chief judge, judges, and other offi-
13 cers and employees, and for necessary expenses of the
14 court, as authorized by law, \$24,613,000.

15 UNITED STATES COURT OF INTERNATIONAL TRADE

16 SALARIES AND EXPENSES

17 For salaries of the chief judge and eight judges, sala-
18 ries of the officers and employees of the court, services,
19 and necessary expenses of the court, as authorized by law,
20 \$15,480,000.

21 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

22 JUDICIAL SERVICES

23 SALARIES AND EXPENSES

24 For the salaries of circuit and district judges (includ-
25 ing judges of the territorial courts of the United States),
26 justices and judges retired from office or from regular ac-

1 tive service, judges of the United States Court of Federal
2 Claims, bankruptcy judges, magistrate judges, and all
3 other officers and employees of the Federal Judiciary not
4 otherwise specifically provided for, and necessary expenses
5 of the courts, as authorized by law, \$4,348,780,000 (in-
6 cluding the purchase of firearms and ammunition); of
7 which not to exceed \$27,817,000 shall remain available
8 until expended for space alteration projects and for fur-
9 niture and furnishings related to new space alteration and
10 construction projects; of which \$1,300,000 of the funds
11 provided for the Judiciary Information Technology Fund
12 will be for the Edwin L. Nelson Local Initiatives Program,
13 within which \$1,000,000 will be reserved for local court
14 grants.

15 In addition, for expenses of the United States Court
16 of Federal Claims associated with processing cases under
17 the National Childhood Vaccine Injury Act of 1986, not
18 to exceed \$3,833,000, to be appropriated from the Vaccine
19 Injury Compensation Trust Fund.

20 DEFENDER SERVICES

21 For the operation of Federal Defender organizations;
22 the compensation and reimbursement of expenses of attor-
23 neys appointed to represent persons under the Criminal
24 Justice Act of 1964, as amended (18 U.S.C. 3006A); the
25 compensation and reimbursement of expenses of persons
26 furnishing investigative, expert and other services under

1 the Criminal Justice Act of 1964 as amended (18 U.S.C.
2 3006A(e)); the compensation (in accordance with Criminal
3 Justice Act maximums) and reimbursement of expenses
4 of attorneys appointed to assist the court in criminal cases
5 where the defendant has waived representation by counsel;
6 the compensation and reimbursement of travel expenses
7 of guardians ad litem acting on behalf of financially eligi-
8 ble minor or incompetent offenders in connection with
9 transfers from the United States to foreign countries with
10 which the United States has a treaty for the execution
11 of penal sentences; the compensation of attorneys ap-
12 pointed to represent jurors in civil actions for the protec-
13 tion of their employment, as authorized by 28 U.S.C.
14 1875(d); and for necessary training and general adminis-
15 trative expenses, \$721,919,000, to remain available until
16 expended.

17 FEES OF JURORS AND COMMISSIONERS

18 For fees and expenses of jurors as authorized by 28
19 U.S.C. 1871 and 1876; compensation of jury commis-
20 sioners as authorized by 28 U.S.C. 1863; and compensa-
21 tion of commissioners appointed in condemnation cases
22 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
23 cedure (28 U.S.C. Appendix Rule 71A(h)), \$60,053,000,
24 to remain available until expended: *Provided*, That the
25 compensation of land commissioners shall not exceed the

1 daily equivalent of the highest rate payable under section
2 5332 of title 5, United States Code.

3 COURT SECURITY
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses, not otherwise provided for,
6 incident to the provision of protective guard services for
7 United States courthouses and other facilities housing
8 Federal court operations, and the procurement, installa-
9 tion, and maintenance of security systems and equipment
10 for United States courthouses and other facilities housing
11 Federal court operations, including building ingress-egress
12 control, inspection of mail and packages, directed security
13 patrols, perimeter security, basic security services provided
14 by the Federal Protective Service, and other similar activi-
15 ties as authorized by section 1010 of the Judicial Improve-
16 ment and Access to Justice Act (Public Law 100–702),
17 \$379,461,000, of which not to exceed \$15,000,000 shall
18 remain available until expended, to be expended directly
19 or transferred to the United States Marshals Service,
20 which shall be responsible for administering the Judicial
21 Facility Security Program consistent with standards or
22 guidelines agreed to by the Director of the Administrative
23 Office of the United States Courts and the Attorney Gen-
24 eral.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$70,262,000, of which not to exceed \$8,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90–219, \$22,249,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2007, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,500 is authorized for official reception and representa-
19 tion expenses.

20 JUDICIAL RETIREMENT FUNDS

21 PAYMENT TO JUDICIARY TRUST FUNDS

22 For payment to the Judicial Officers' Retirement
23 Fund, as authorized by 28 U.S.C. 377(o), \$36,800,000;
24 to the Judicial Survivors' Annuities Fund, as authorized
25 by 28 U.S.C. 376(c), \$600,000; and to the United States

1 Court of Federal Claims Judges' Retirement Fund, as au-
2 thorized by 28 U.S.C. 178(1), \$3,200,000.

3 UNITED STATES SENTENCING COMMISSION

4 SALARIES AND EXPENSES

5 For the salaries and expenses necessary to carry out
6 the provisions of chapter 58 of title 28, United States
7 Code, \$14,046,000, of which not to exceed \$1,000 is au-
8 thorized for official reception and representation expenses.

9 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

10 SEC. 401. Appropriations and authorizations made in
11 this title which are available for salaries and expenses shall
12 be available for services as authorized by 5 U.S.C. 3109.

13 SEC. 402. Not to exceed 5 percent of any appropria-
14 tion made available for the current fiscal year for the Judi-
15 ciary in this Act may be transferred between such approp-
16 riations, but no such appropriation, except “Courts of
17 Appeals, District Courts, and Other Judicial Services, De-
18 fender Services” and “Courts of Appeals, District Courts,
19 and Other Judicial Services, Fees of Jurors and Commis-
20 sioners”, shall be increased by more than 10 percent by
21 any such transfers: *Provided*, That any transfer pursuant
22 to this section shall be treated as a reprogramming of
23 funds under section 810 of this Act and shall not be avail-
24 able for obligation or expenditure except in compliance
25 with the procedures set forth in that section.

1 SEC. 403. Notwithstanding any other provision of
2 law, the salaries and expenses appropriation for Courts of
3 Appeals, District Courts, and Other Judicial Services shall
4 be available for official reception and representation ex-
5 penses of the Judicial Conference of the United States:
6 *Provided*, That such available funds shall not exceed
7 \$11,000 and shall be administered by the Director of the
8 Administrative Office of the United States Courts in the
9 capacity as Secretary of the Judicial Conference.

10 TITLE V—THE DISTRICT OF COLUMBIA

11 FEDERAL FUNDS

12 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

13 For a Federal payment to the District of Columbia,
14 to be deposited into a dedicated account, for a nationwide
15 program to be administered by the Mayor, for District of
16 Columbia resident tuition support, \$33,200,000, to remain
17 available until expended: *Provided*, That such funds, in-
18 cluding any interest accrued thereon, may be used on be-
19 half of eligible District of Columbia residents to pay an
20 amount based upon the difference between in-State and
21 out-of-State tuition at public institutions of higher edu-
22 cation, or to pay up to \$2,500 each year at eligible private
23 institutions of higher education: *Provided further*, That the
24 awarding of such funds may be prioritized on the basis
25 of a resident's academic merit, the income and need of

1 eligible students and such other factors as may be author-
2 ized: *Provided further*, That the District of Columbia gov-
3 ernment shall maintain a dedicated account for the Resi-
4 dent Tuition Support Program that shall consist of the
5 Federal funds appropriated to the Program in this Act
6 and any subsequent appropriations, any unobligated bal-
7 ances from prior fiscal years, and any interest earned in
8 this or any fiscal year: *Provided further*, That the account
9 shall be under the control of the District of Columbia
10 Chief Financial Officer, who shall use those funds solely
11 for the purposes of carrying out the Resident Tuition Sup-
12 port Program: *Provided further*, That the Office of the
13 Chief Financial Officer shall provide a quarterly financial
14 report to the Committees on Appropriations of the House
15 of Representatives and Senate for these funds showing,
16 by object class, the expenditures made and the purpose
17 therefor: *Provided further*, That not more than \$1,200,000
18 of the total amount appropriated for this program may
19 be used for administrative expenses.

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

22 For necessary expenses, as determined by the Mayor
23 of the District of Columbia in written consultation with
24 the elected county or city officials of surrounding jurisdic-
25 tions, \$15,000,000, to remain available until expended, to
26 reimburse the District of Columbia for the costs of pro-

1 viding public safety at events related to the presence of
2 the national capital in the District of Columbia and for
3 the costs of providing support to respond to immediate
4 and specific terrorist threats or attacks in the District of
5 Columbia or surrounding jurisdictions: *Provided*, That any
6 amount provided under this heading shall be available only
7 after notice of its proposed use has been transmitted by
8 the President to Congress and such amount has been ap-
9 portioned pursuant to chapter 15 of title 31, United
10 States Code.

11 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

12 COURTS

13 For salaries and expenses for the District of Colum-
14 bia Courts, \$221,693,000, to be allocated as follows: for
15 the District of Columbia Court of Appeals, \$9,198,000,
16 of which not to exceed \$1,500 is for official reception and
17 representation expenses; for the District of Columbia Su-
18 perior Court, \$87,342,000, of which not to exceed \$1,500
19 is for official reception and representation expenses; for
20 the District of Columbia Court System, \$41,643,000, of
21 which not to exceed \$1,500 is for official reception and
22 representation expenses; and \$83,510,000, to remain
23 available until September 30, 2007, for capital improve-
24 ments for District of Columbia courthouse facilities: *Pro-*
25 *vided*, That notwithstanding any other provision of law,
26 a single contract or related contracts for development and

1 construction of facilities may be employed which collec-
2 tively include the full scope of the project: *Provided fur-*
3 *ther*, That the solicitation and contract shall contain the
4 clause “availability of Funds” found at 48 CFR 52.232–
5 18: *Provided further*, That funds made available for capital
6 improvements shall be expended consistent with the Gen-
7 eral Services Administration master plan study and build-
8 ing evaluation report: *Provided further*, That notwith-
9 standing any other provision of law, all amounts under
10 this heading shall be apportioned quarterly by the Office
11 of Management and Budget and obligated and expended
12 in the same manner as funds appropriated for salaries and
13 expenses of other Federal agencies, with payroll and finan-
14 cial services to be provided on a contractual basis with
15 the General Services Administration (GSA), and such
16 services shall include the preparation of monthly financial
17 reports, copies of which shall be submitted directly by GSA
18 to the President and to the Committees on Appropriations
19 of the House of Representatives and Senate, the Com-
20 mittee on Government Reform of the House of Represent-
21 atives, and the Committee on Governmental Affairs of the
22 Senate: *Provided further*, That 30 days after providing
23 written notice to the Committees on Appropriations of the
24 House of Representatives and Senate, the District of Co-
25 lumbia Courts may reallocate not more than \$1,000,000

1 of the funds provided under this heading among the items
2 and entities funded under this heading for operations, and
3 not more than 4 percent of the funds provided under this
4 heading for facilities.

5 DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

6 For payments authorized under section 11–2604 and
7 section 11–2605, D.C. Official Code (relating to represen-
8 tation provided under the District of Columbia Criminal
9 Justice Act), payments for counsel appointed in pro-
10 ceedings in the Family Court of the Superior Court of the
11 District of Columbia under chapter 23 of title 16, D.C.
12 Official Code, or pursuant to contractual agreements to
13 provide guardian ad litem representation, training, tech-
14 nical assistance and such other services as are necessary
15 to improve the quality of guardian ad litem representation,
16 payments for counsel appointed in adoption proceedings
17 under chapter 3 of title 16, D.C. Code, and payments for
18 counsel authorized under section 21–2060, D.C. Official
19 Code (relating to representation provided under the Dis-
20 trict of Columbia Guardianship, Protective Proceedings,
21 and Durable Power of Attorney Act of 1986),
22 \$45,000,000, to remain available until expended: *Pro-*
23 *vided*, That the funds provided in this Act under the head-
24 ing “Federal Payment to the District of Columbia Courts”
25 (other than the \$83,510,000 provided under such heading
26 for capital improvements for District of Columbia court-

1 house facilities) may also be used for payments under this
2 heading: *Provided further*, That in addition to the funds
3 provided under this heading, the Joint Committee on Ju-
4 dicial Administration in the District of Columbia may use
5 funds provided in this Act under the heading “Federal
6 Payment to the District of Columbia Courts” (other than
7 the \$83,510,000 provided under such heading for capital
8 improvements for District of Columbia courthouse facili-
9 ties), to make payments described under this heading for
10 obligations incurred during any fiscal year: *Provided fur-*
11 *ther*, That funds provided under this heading shall be ad-
12 ministered by the Joint Committee on Judicial Adminis-
13 tration in the District of Columbia: *Provided futher*, That
14 notwithstanding any other provision of law, this appro-
15 priation shall be apportioned quarterly by the Office of
16 Management and Budget and obligated and expended in
17 the same manner as funds appropriated for expenses of
18 other Federal agencies, with payroll and financial services
19 to be provided on a contractual basis with the General
20 Services Administration (GSA), and such services shall in-
21 clude the preparation of monthly financial reports, copies
22 of which shall be submitted directly by GSA to the Presi-
23 dent and to the Committees on Appropriations of the
24 House of Representatives and Senate, the Committee on

1 Government Reform of the House of Representatives, and
2 the Committee on Governmental Affairs of the Senate.

3 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
4 FENDER SUPERVISION AGENCY FOR THE DISTRICT
5 OF COLUMBIA

6 (INCLUDING TRANSFER OF FUNDS)

7 For salaries and expenses, including the transfer and
8 hire of motor vehicles, of the Court Services and Offender
9 Supervision Agency for the District of Columbia and the
10 Public Defender Service for the District of Columbia, as
11 authorized by the National Capital Revitalization and Self-
12 Government Improvement Act of 1997, \$203,388,000, of
13 which not to exceed \$2,000 is for official receptions and
14 representation expenses related to Community Supervision
15 and Pretrial Services Agency programs; of which not to
16 exceed \$25,000 is for dues and assessments relating to
17 the implementation of the Court Services and Offender
18 Supervision Agency Interstate Supervision Act of 2002;
19 of which \$131,360,000 shall be for necessary expenses of
20 Community Supervision and Sex Offender Registration, to
21 include expenses relating to the supervision of adults sub-
22 ject to protection orders or the provision of services for
23 or related to such persons; of which \$42,195,000 shall be
24 available to the Pretrial Services Agency; and of which
25 \$29,833,000 shall be transferred to the Public Defender
26 Service for the District of Columbia: *Provided*, That not-

1 withstanding any other provision of law, all amounts
2 under this heading shall be apportioned quarterly by the
3 Office of Management and Budget and obligated and ex-
4 pended in the same manner as funds appropriated for sal-
5 aries and expenses of other Federal agencies: *Provided fur-*
6 *ther*, That the Director is authorized to accept and use
7 gifts in the form of in-kind contributions of space and hos-
8 pitality to support offender and defendant programs, and
9 equipment and vocational training services to educate and
10 train offenders and defendants: *Provided further*, That the
11 Director shall keep accurate and detailed records of the
12 acceptance and use of any gift or donation under the pre-
13 vious proviso, and shall make such records available for
14 audit and public inspection: *Provided further*, That the
15 Court Services and Offender Supervision Agency Director
16 is authorized to accept and use reimbursement from the
17 D.C. Government for space and services provided on a cost
18 reimbursable basis: *Provided further*, That the Public De-
19 fender Service is authorized to charge fees to cover costs
20 of materials distributed and training provided to attendees
21 of educational events, including conferences, sponsored by
22 the Public Defender Service, and notwithstanding section
23 3302 of title 31, United States Code, said fees shall be
24 credited to the Public Defender Service account to be
25 available for use without further appropriation.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
2 WATER AND SEWER AUTHORITY

3 For a Federal payment to the District of Columbia
4 Water and Sewer Authority, \$10,000,000, to remain avail-
5 able until expended, to continue implementation of the
6 Combined Sewer Overflow Long-Term Plan: *Provided*,
7 That the District of Columbia Water and Sewer Authority
8 provides a 100 percent match for this payment.

9 FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT
10 INITIATIVE

11 For a Federal payment to the District of Columbia
12 Department of Transportation, \$5,000,000, to remain
13 available until September 30, 2007, for design and con-
14 struction of a continuous pedestrian and bicycle trail sys-
15 tem from the Potomac River to the District's border with
16 Maryland.

17 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE
18 COORDINATING COUNCIL

19 For a Federal payment to the Criminal Justice Co-
20 ordinating Council, \$1,300,000, to remain available until
21 expended, to support initiatives related to the coordination
22 of Federal and local criminal justice resources in the Dis-
23 trict of Columbia.

1 FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF
2 FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

3 For a Federal payment to the Office of the Chief Fi-
4 nancial Officer of the District of Columbia, \$20,000,000:
5 *Provided*, That each entity that receives funding under
6 this heading shall submit to the Office of the Chief Finan-
7 cial Officer of the District of Columbia (CFO) a report
8 on the activities to be carried out with such funds no later
9 than March 15, 2006, and the CFO shall submit a com-
10 prehensive report to the Committees on Appropriations of
11 the House of Representatives and the Senate no later
12 June 1, 2006.

13 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

14 For a Federal payment for a school improvement pro-
15 gram in the District of Columbia, \$41,616,000, to be allo-
16 cated as follows: for the District of Columbia Public
17 Schools, \$13,525,000 to improve public school education
18 in the District of Columbia; for the State Education Of-
19 fice, \$13,525,000 to expand quality public charter schools
20 in the District of Columbia, to remain available until Sep-
21 tember 30, 2007; for the Secretary of the Department of
22 Education, \$14,566,000 to provide opportunity scholar-
23 ships for students in the District of Columbia in accord-
24 ance with division C, title III of the District of Columbia
25 Appropriations Act, 2004 (Public Law 108–199; 118 Stat.

1 126), of which up to \$1,000,000 may be used to admin-
2 ister and fund assessments.

3 FEDERAL PAYMENT FOR BIOTERRORISM AND FORENSICS

4 LABORATORY

5 For a Federal payment to the District of Columbia,
6 \$7,200,000, to remain available until September 30, 2007,
7 for design, planning, and procurement costs associated
8 with the construction of a bioterrorism and forensics lab-
9 oratory: *Provided*, That the District of Columbia shall pro-
10 vide an additional \$1,500,000 with local funds as a condi-
11 tion of receiving this payment.

12 DISTRICT OF COLUMBIA FUNDS

13 The following amounts are appropriated for the Dis-
14 trict of Columbia for the current fiscal year out of the
15 general fund of the District of Columbia, except as other-
16 wise specifically provided: *Provided*, That notwithstanding
17 any other provision of law, except as provided in section
18 450A of the District of Columbia Home Rule Act (D.C.
19 Official Code, sec. 1-204.50a) and provisions of this Act,
20 the total amount appropriated in this Act for operating
21 expenses for the District of Columbia for fiscal year 2006
22 under this heading shall not exceed the lesser of the sum
23 of the total revenues of the District of Columbia for such
24 fiscal year or \$8,700,158,000 (of which \$5,007,344,000
25 shall be from local funds, \$1,921,287,000 shall be from
26 Federal grant funds, \$1,754,399,000 shall be from other

1 funds, and \$17,129,000 shall be from private funds), in
2 addition, \$163,116,000 from funds previously appro-
3 priated in this Act as Federal payments: *Provided further,*
4 That of the local funds, \$466,830,000 shall be derived
5 from the District's general fund balance: *Provided further,*
6 That of these funds the District's intradistrict authority
7 shall be \$468,486,000: *Provided further,* That the
8 amounts provided under this heading are to be allocated
9 and expended as proposed under "Title II-District of Co-
10 lumbia Funds" of the Fiscal Year 2006 Proposed Budget
11 and Financial Plan submitted to the Congress of the
12 United States by the District of Columbia on June 6,
13 2005: *Provided further,* That this amount may be in-
14 creased by proceeds of one-time transactions, which are
15 expended for emergency or unanticipated operating or
16 capital needs: *Provided further,* That such increases shall
17 be approved by enactment of local District law and shall
18 comply with all reserve requirements contained in the Dis-
19 trict of Columbia Home Rule Act as amended by this Act:
20 *Provided further,* That the Chief Financial Officer of the
21 District of Columbia shall take such steps as are necessary
22 to assure that the District of Columbia meets these re-
23 quirements, including the apportioning by the Chief Fi-
24 nancial Officer of the appropriations and funds made
25 available to the District during fiscal year 2006, except

1 that the Chief Financial Officer may not reprogram for
2 operating expenses any funds derived from bonds, notes,
3 or other obligations issued for capital projects.

4 GOVERNMENTAL DIRECTION AND SUPPORT

5 ADMINISTRATIVE PROVISIONS—DISTRICT OF COLUMBIA

6 SEC. 501. Whenever in this title, an amount is speci-
7 fied within an appropriation for a particular purposes or
8 objects of expenditure, such amount, unless otherwise
9 specified, shall be considered as the maximum amount
10 that may be expended for said purpose or object rather
11 than an amount set apart exclusively therefor.

12 SEC. 502. Appropriations in this title shall be avail-
13 able for expenses of travel and for the payment of dues
14 of organizations concerned with the work of the District
15 of Columbia government, when authorized by the Mayor,
16 or, in the case of the Council of the District of Columbia,
17 funds may be expended with the authorization of the
18 Chairman of the Council.

19 SEC. 503. There are appropriated from the applicable
20 funds of the District of Columbia such sums as may be
21 necessary for making refunds and for the payment of legal
22 settlements or judgments that have been entered against
23 the District of Columbia government.

24 SEC. 504. (a) Except as provided in subsection (b),
25 no part of this appropriation shall be used for publicity
26 or propaganda purposes or implementation of any policy

1 including boycott designed to support or defeat legislation
2 pending before Congress or any State legislature.

3 (b) The District of Columbia may use local funds pro-
4 vided in this title to carry out lobbying activities on any
5 matter other than—

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

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

10 (c) Nothing in this section may be construed to pro-
11 hibit any elected official from advocating with respect to
12 any of the issues referred to in subsection (b).

13 SEC. 505. (a) None of the funds provided under this
14 title to the agencies funded by this title, both Federal and
15 District government agencies, that remain available for
16 obligation or expenditure in fiscal year 2006, or provided
17 from any accounts in the Treasury of the United States
18 derived by the collection of fees available to the agencies
19 funded by this title, shall be available for obligation or ex-
20 penditures for an agency through a reprogramming of
21 funds which—

22 (1) creates new programs;

23 (2) eliminates a program, project, or responsi-
24 bility center;

1 (3) establishes or changes allocations specifi-
2 cally denied, limited or increased under this Act;

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

6 (5) reestablishes any program or project pre-
7 viously deferred through reprogramming;

8 (6) augments any existing program, project, or
9 responsibility center through a reprogramming of
10 funds in excess of \$3,000,000 or 10 percent, which-
11 ever is less; or

12 (7) increases by 20 percent or more personnel
13 assigned to a specific program, project or responsi-
14 bility center,

15 unless the Committees on Appropriations of the House of
16 Representatives and Senate are notified in writing 15 days
17 in advance of the reprogramming.

18 (b) None the local funds contained in this title may
19 be available for obligation or expenditure for an agency
20 through a transfer of any local funds in excess of
21 \$3,000,000 from one appropriation heading to another un-
22 less the Committees on Appropriations of the House of
23 Representatives and Senate are notified in writing 15 days
24 in advance of the transfer, except that in no event may

1 the amount of any funds transferred exceed 4 percent of
2 the local funds in the appropriations.

3 SEC. 506. Consistent with the provisions of section
4 1301(a) of title 31, United States Code, appropriations
5 under this title shall be applied only to the objects for
6 which the appropriations were made except as otherwise
7 provided by law.

8 SEC. 507. Notwithstanding any other provisions of
9 law, the provisions of the District of Columbia Govern-
10 ment Comprehensive Merit Personnel Act of 1978 (D.C.
11 Law 2-139; D.C. Official Code, sec. 1-601.01 et seq.),
12 enacted pursuant to section 422(3) of the District of Co-
13 lumbia Home Rule Act (D.C. Official Code, sec. 1-
14 2041.22(3)), shall apply with respect to the compensation
15 of District of Columbia employees. For pay purposes, em-
16 ployees of the District of Columbia government shall not
17 be subject to the provisions of title 5, United States Code.

18 SEC. 508. No later than 30 days after the end of the
19 first quarter of fiscal year 2006, the Mayor of the District
20 of Columbia shall submit to the Council of the District
21 of Columbia and the Committees on Appropriations of the
22 House of Representatives and Senate the new fiscal year
23 2006 revenue estimates as of the end of such quarter.
24 These estimates shall be used in the budget request for

1 fiscal year 2007. The officially revised estimates at mid-
2 year shall be used for the midyear report.

3 SEC. 509. No sole source contract with the District
4 of Columbia government or any agency thereof may be re-
5 newed or extended without opening that contract to the
6 competitive bidding process as set forth in section 303 of
7 the District of Columbia Procurement Practices Act of
8 1985 (D.C. Law 6–85; D.C. Official Code, sec. 2–303.03),
9 except that the District of Columbia government or any
10 agency thereof may renew or extend sole source contracts
11 for which competition is not feasible or practical, but only
12 if the determination as to whether to invoke the competi-
13 tive bidding process has been made in accordance with
14 duly promulgated rules and procedures and has been re-
15 viewed and certified by the Chief Financial Officer of the
16 District of Columbia.

17 SEC. 510. None of the Federal funds provided in this
18 title may be used by the District of Columbia to provide
19 for salaries, expenses, or other costs associated with the
20 offices of United States Senator or United States Rep-
21 resentative under section 4(d) of the District of Columbia
22 Statehood Constitutional Convention Initiatives of 1979
23 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

24 SEC. 511. None of the Federal funds made available
25 in this title may be used to implement or enforce the

1 Health Care Benefits Expansion Act of 1992 (D.C. Law
2 9–114; D.C. Official Code, sec. 32–701 et seq.) or to oth-
3 erwise implement or enforce any system of registration of
4 unmarried, cohabiting couples, including but not limited
5 to registration for the purpose of extending employment,
6 health, or governmental benefits to such couples on the
7 same basis that such benefits are extended to legally mar-
8 ried couples.

9 SEC. 512. (a) Notwithstanding any other provision
10 of this title, the Mayor, in consultation with the Chief Fi-
11 nancial Officer of the District of Columbia may accept,
12 obligate, and expend Federal, private, and other grants
13 received by the District government that are not reflected
14 in the amounts appropriated in this title.

15 (b)(1) No such Federal, private, or other grant may
16 be obligated, or expended pursuant to subsection (a)
17 until—

18 (A) the Chief Financial Officer of the District
19 of Columbia submits to the Council a report setting
20 forth detailed information regarding such grant; and

21 (B) the Council has reviewed and approved the
22 obligation, and expenditure of such grant.

23 (2) For purposes of paragraph (1)(B), the Council
24 shall be deemed to have reviewed and approved the obliga-
25 tion, and expenditure of a grant if—

1 (A) no written notice of disapproval is filed with
2 the Secretary of the Council within 14 calendar days
3 of the receipt of the report from the Chief Financial
4 Officer under paragraph (1)(A); or

5 (B) if such a notice of disapproval is filed with-
6 in such deadline, the Council does not by resolution
7 disapprove the obligation, or expenditure of the
8 grant within 30 calendar days of the initial receipt
9 of the report from the Chief Financial Officer under
10 paragraph (1)(A).

11 (c) No amount may be obligated or expended from
12 the general fund or other funds of the District of Colum-
13 bia government in anticipation of the approval or receipt
14 of a grant under subsection (b)(2) or in anticipation of
15 the approval or receipt of a Federal, private, or other
16 grant not subject to such subsection.

17 (d) The Chief Financial Officer of the District of Co-
18 lumbia may adjust the budget for Federal, private, and
19 other grants received by the District government reflected
20 in the amounts appropriated in this title, or approved and
21 received under subsection (b)(2) to reflect a change in the
22 actual amount of the grant.

23 (e) The Chief Financial Officer of the District of Co-
24 lumbia shall prepare a quarterly report setting forth de-
25 tailed information regarding all Federal, private, and

1 other grants subject to this section. Each such report shall
2 be submitted to the Council of the District of Columbia
3 and to the Committees on Appropriations of the House
4 of Representatives and Senate not later than 15 days after
5 the end of the quarter covered by the report.

6 SEC. 513. (a) Except as otherwise provided in this
7 section, none of the funds made available by this title or
8 by any other title may be used to provide any officer or
9 employee of the District of Columbia with an official vehi-
10 cle unless the officer or employee uses the vehicle only in
11 the performance of the officer's or employee's official du-
12 ties. For purposes of this paragraph, the term "official
13 duties" does not include travel between the officer's or em-
14 ployee's residence and workplace, except in the case of—

15 (1) an officer or employee of the Metropolitan
16 Police Department who resides in the District of Co-
17 lumbia or is otherwise designated by the Chief of the
18 Department;

19 (2) at the discretion of the Fire Chief, an offi-
20 cer or employee of the District of Columbia Fire and
21 Emergency Medical Services Department who re-
22 sides in the District of Columbia and is on call 24
23 hours a day or is otherwise designated by the Fire
24 Chief;

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

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

3 (b) The Chief Financial Officer of the District of Co-
4 lumbia shall submit by March 1, 2006, an inventory, as
5 of September 30, 2005, of all vehicles owned, leased or
6 operated by the District of Columbia government. The in-
7 ventory shall include, but not be limited to, the depart-
8 ment to which the vehicle is assigned; the year and make
9 of the vehicle; the acquisition date and cost; the general
10 condition of the vehicle; annual operating and mainte-
11 nance costs; current mileage; and whether the vehicle is
12 allowed to be taken home by a District officer or employee
13 and if so, the officer or employee's title and resident loca-
14 tion.

15 SEC. 514. None of the funds contained in this title
16 may be used for purposes of the annual independent audit
17 of the District of Columbia government for fiscal year
18 2006 unless—

19 (1) the audit is conducted by the Inspector
20 General of the District of Columbia, in coordination
21 with the Chief Financial Officer of the District of
22 Columbia, pursuant to section 208(a)(4) of the Dis-
23 trict of Columbia Procurement Practices Act of
24 1985 (D.C. Official Code, sec. 2-302.8); and

1 (2) the audit includes as a basic financial state-
2 ment a comparison of audited actual year-end re-
3 sults with the revenues submitted in the budget doc-
4 ument for such year and the appropriations enacted
5 into law for such year using the format, terminology,
6 and classifications contained in the law making the
7 appropriations for the year and its legislative his-
8 tory.

9 SEC. 515. (a) None of the funds contained in this
10 title may be used by the District of Columbia Corporation
11 Counsel or any other officer or entity of the District gov-
12 ernment to provide assistance for any petition drive or civil
13 action which seeks to require Congress to provide for vot-
14 ing representation in Congress for the District of Colum-
15 bia.

16 (b) Nothing in this section bars the District of Co-
17 lumbia Corporation Counsel from reviewing or com-
18 menting on briefs in private lawsuits, or from consulting
19 with officials of the District government regarding such
20 lawsuits.

21 SEC. 516. (a) None of the funds contained in this
22 title may be used for any program of distributing sterile
23 needles or syringes for the hypodermic injection of any ille-
24 gal drug.

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

6 SEC. 517. None of the funds contained in this title
7 may be used after the expiration of the 60-day period that
8 begins on the date of the enactment of this title to pay
9 the salary of any chief financial officer of any office of
10 the District of Columbia government (including any inde-
11 pendent agency of the District of Columbia) who has not
12 filed a certification with the Mayor and the Chief Finan-
13 cial Officer of the District of Columbia that the officer
14 understands the duties and restrictions applicable to the
15 officer and the officer's agency as a result of this title (and
16 the amendments made by this title), including any duty
17 to prepare a report requested either in the title or in any
18 of the reports accompanying the title and the deadline by
19 which each report must be submitted: *Provided*, That the
20 Chief Financial Officer of the District of Columbia shall
21 provide to the Committees on Appropriations of the House
22 of Representatives and Senate by the 10th day after the
23 end of each quarter a summary list showing each report,
24 the due date, and the date submitted to the Committees.

1 SEC. 518. Nothing in this title may be construed to
2 prevent the Council or Mayor of the District of Columbia
3 from addressing the issue of the provision of contraceptive
4 coverage by health insurance plans, but it is the intent
5 of Congress that any legislation enacted on such issue
6 should include a “conscience clause” which provides excep-
7 tions for religious beliefs and moral convictions.

8 SEC. 519. The Mayor of the District of Columbia
9 shall submit to the Committees on Appropriations of the
10 House of Representatives and Senate, the Committee on
11 Government Reform of the House of Representatives, and
12 the Committee on Governmental Affairs of the Senate
13 quarterly reports addressing—

14 (1) crime, including the homicide rate, imple-
15 mentation of community policing, the number of po-
16 lice officers on local beats, and the closing down of
17 open-air drug markets;

18 (2) access to substance and alcohol abuse treat-
19 ment, including the number of treatment slots, the
20 number of people served, the number of people on
21 waiting lists, and the effectiveness of treatment pro-
22 grams;

23 (3) management of parolees and pre-trial vio-
24 lent offenders, including the number of halfway
25 houses escapes and steps taken to improve moni-

1 toring and supervision of halfway house residents to
2 reduce the number of escapes to be provided in con-
3 sultation with the Court Services and Offender Su-
4 pervision Agency for the District of Columbia;

5 (4) education, including access to special edu-
6 cation services and student achievement to be pro-
7 vided in consultation with the District of Columbia
8 Public Schools and the District of Columbia public
9 charter schools;

10 (5) improvement in basic District services, in-
11 cluding rat control and abatement;

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

18 (7) indicators of child well-being.

19 SEC. 520. (a) No later than 30 calendar days after
20 the date of the enactment of this Act, the Chief Financial
21 Officer of the District of Columbia shall submit to the ap-
22 propriate committees of Congress, the Mayor, and the
23 Council of the District of Columbia a revised appropriated
24 funds operating budget in the format of the budget that
25 the District of Columbia government submitted pursuant

1 to section 442 of the District of Columbia Home Rule Act
2 (D.C. Official Code, sec. 1–204.42), for all agencies of the
3 District of Columbia government for fiscal year 2006 that
4 is in the total amount of the approved appropriation and
5 that realigns all budgeted data for personal services and
6 other-than-personal-services, respectively, with anticipated
7 actual expenditures.

8 (b) This section shall apply only to an agency where
9 the Chief Financial Officer of the District of Columbia
10 certifies that a reallocation is required to address unantici-
11 pated changes in program requirements.

12 SEC. 521. None of the Federal funds made available
13 in this title may be transferred to any department, agency,
14 or instrumentality of the United States Government, ex-
15 cept pursuant to a transfer made by, or transfer authority
16 provided in, this Act or any other appropriation Act.

17 SEC. 522. Notwithstanding any other law, in fiscal
18 year 2006 and in each subsequent fiscal year, the District
19 of Columbia Courts shall transfer to the general treasury
20 of the District of Columbia all fines levied and collected
21 by the Courts under section 10(b)(1) and (2) of the Dis-
22 trict of Columbia Traffic Act (D.C. Official Code, sec. 50–
23 2201.05(b)(1) and (2)): *Provided*, that the transferred
24 funds are hereby made available and shall remain available
25 until expended and shall be used by the Office of the At-

1 torney General of the District of Columbia for enforce-
2 ment and prosecution of District traffic alcohol laws in
3 accordance with section 10(b)(3) of the District of Colum-
4 bia Traffic Act (D.C. Official Code, sec. 50-
5 2201.05(b)(3)).

6 SEC. 523. (a) None of the funds contained in this
7 Act may be made available to pay—

8 (1) the fees of an attorney who represents a
9 party in an action or an attorney who defends an ac-
10 tion brought against the District of Columbia Public
11 Schools under the Individuals with Disabilities Edu-
12 cation Act (20 U.S.C. 1400 et seq.) in excess of
13 \$4,000 for that action; or

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

20 (b) In this section, the term “action” includes an ad-
21 ministrative proceeding and any ensuing or related pro-
22 ceedings before a court of competent jurisdiction.

23 SEC. 524. The Chief Financial Officer of the District
24 of Columbia shall require attorneys in special education
25 cases brought under the Individuals with Disabilities Edu-

1 cation Act (IDEA) in the District of Columbia to certify
2 in writing that the attorney or representative rendered any
3 and all services for which they receive awards, including
4 those received under a settlement agreement or as part
5 of an administrative proceeding, under the IDEA from the
6 District of Columbia. As part of the certification, the Chief
7 Financial Officer of the District of Columbia shall require
8 all attorneys in IDEA cases to disclose any financial, cor-
9 porate, legal, memberships on boards of directors, or other
10 relationships with any special education diagnostic serv-
11 ices, schools, or other special education service providers
12 to which the attorneys have referred any clients as part
13 of this certification. The Chief Financial Officer shall pre-
14 pare and submit quarterly reports to the Committees on
15 Appropriations of the House of Representatives and Sen-
16 ate on the certification of and the amount paid by the gov-
17 ernment of the District of Columbia, including the District
18 of Columbia Public Schools, to attorneys in cases brought
19 under IDEA. The Inspector General of the District of Co-
20 lumbia may conduct investigations to determine the accu-
21 racy of the certifications.

22 SEC. 525. The amount appropriated by this title may
23 be increased by no more than \$42,000,000 from funds
24 identified in the comprehensive annual financial report as
25 the District's fiscal year 2005 unexpended general fund

1 surplus. The District may obligate and expend these
2 amounts only in accordance with the following conditions:

3 (1) The Chief Financial Officer of the District
4 of Columbia shall certify that the use of any such
5 amounts is not anticipated to have a negative impact
6 on the District's long-term financial, fiscal, and eco-
7 nomic vitality.

8 (2) The District of Columbia may only use
9 these funds for the following expenditures:

10 (A) One-time expenditures.

11 (B) Expenditures to avoid deficit spending.

12 (C) Debt Reduction.

13 (D) Program needs.

14 (E) Expenditures to avoid revenue short-
15 falls.

16 (3) The amounts shall be obligated and ex-
17 pended in accordance with laws enacted by the
18 Council in support of each such obligation or ex-
19 penditure.

20 (4) The amounts may not be used to fund the
21 agencies of the District of Columbia government
22 under court ordered receivership.

23 (5) The amounts may not be obligated or ex-
24 pended unless the Mayor notifies the Committees on
25 Appropriations of the House of Representatives and

1 Senate not fewer than 30 days in advance of the ob-
2 ligation or expenditure.

3 SEC. 526. (a) The fourth proviso in the item relating
4 to “Federal Payment for School Improvement” in the Dis-
5 trict of Columbia Appropriations Act, 2005 (Public Law
6 108–335; 118 Stat. 1327) is amended—

7 (1) by striking “\$4,000,000” and inserting
8 “\$4,000,000, to remain available until expended,”;
9 and

10 (2) by striking “\$2,000,000 shall be for a new
11 incentive fund” and inserting “\$2,000,000, to re-
12 main available until expended, shall be for a new in-
13 centive fund”.

14 (b) The amendments made by subsection (a) shall
15 take effect as if included in the enactment of the District
16 of Columbia Appropriations Act, 2005.

17 SEC. 527. (a) To account for an unanticipated growth
18 of revenue collections, the amount appropriated as District
19 of Columbia Funds pursuant to this Act may be in-
20 creased—

21 (1) by an aggregate amount of not more than
22 25 percent, in the case of amounts proposed to be
23 allocated as “Other-Type Funds” in the Fiscal Year
24 2006 Proposed Budget and Financial Plan sub-

1 mitted to Congress by the District of Columbia on
2 June 6, 2005; and

3 (2) by an aggregate amount of not more than
4 6 percent, in the case of any other amounts pro-
5 posed to be allocated in such Proposed Budget and
6 Financial Plan.

7 (b) The District of Columbia may obligate and ex-
8 pend any increase in the amount of funds authorized
9 under this section only in accordance with the following
10 conditions:

11 (1) The Chief Financial Officer of the District
12 of Columbia shall certify—

13 (A) the increase in revenue; and

14 (B) that the use of the amounts is not an-
15 ticipated to have a negative impact on the long-
16 term financial, fiscal, or economic health of the
17 District.

18 (2) The amounts shall be obligated and ex-
19 pended in accordance with laws enacted by the
20 Council of the District of Columbia in support of
21 each such obligation and expenditure, consistent
22 with the requirements of this Act.

23 (3) The amounts may not be used to fund any
24 agencies of the District government operating under
25 court-ordered receivership.

1 (4) The amounts may not be obligated or ex-
2 pended unless the Mayor has notified the Commit-
3 tees on Appropriations of the House of Representa-
4 tives and Senate not fewer than 30 days in advance
5 of the obligation or expenditure.

6 SEC. 528. (a) Notwithstanding section 450A of the
7 District of Columbia Home Rule Act, during fiscal year
8 2006 the District of Columbia may allocate amounts from
9 the emergency reserve fund established under section
10 450A(a) of such Act and the contingency reserve fund es-
11 tablished under section 450A(b) of such Act and use such
12 amounts to fund the operations of the District government
13 during such fiscal year (consistent with the requirements
14 of this Act and other applicable law).

15 (b) The aggregate amount allocated from the emer-
16 gency reserve fund or the contingency reserve fund under
17 this section may not exceed 50 percent of the balance of
18 the fund involved as of October 1, 2005.

19 (c) If the District of Columbia allocates any amounts
20 from a reserve fund under this section, the District shall
21 fully replenish the fund for the amounts allocated not later
22 than February 15, 2007.

23 SEC. 529. Notwithstanding any other provision of
24 this Act, there is hereby appropriated for the Office of
25 the Inspector General such amounts in local funds, as are

1 consistent with the annual estimates for the expenditures
2 and appropriations necessary for the operation of the Of-
3 fice of the Inspector General as prepared by the Inspector
4 General and submitted to the Mayor and forwarded to the
5 Council pursuant to D.C. Official Code 2–302.08(a)(2)(A)
6 for fiscal year 2005: *Provided*, That the Office of the Chief
7 Financial Officer shall take such steps as are necessary
8 to implement the provisions of this subsection.

9 SEC. 530. (a) None of the funds contained in this
10 title may be used to enact or carry out any law, rule, or
11 regulation to legalize or otherwise reduce penalties associ-
12 ated with the possession, use, or distribution of any sched-
13 ule I substance under the Controlled Substances Act (21
14 U.S.C. 802) or any tetrahydrocannabinols derivative.

15 (b) The Legalization of Marijuana for Medical Treat-
16 ment Initiative of 1998, also known as Initiative 59, ap-
17 proved by the electors of the District of Columbia on No-
18 vember 3, 1998, shall not take effect.

19 SEC. 531. None of the funds appropriated under this
20 title shall be expended for any abortion except where the
21 life of the mother would be endangered if the fetus were
22 carried to term or where the pregnancy is the result of
23 an act of rape or incest.

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

4 COMPENSATION OF THE PRESIDENT

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

12 WHITE HOUSE OFFICE

13 SALARIES AND EXPENSES

14 For necessary expenses for the White House as au-
15 thorized by law, including not to exceed \$3,850,000 for
16 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
17 subsistence expenses as authorized by 3 U.S.C. 105, which
18 shall be expended and accounted for as provided in that
19 section; hire of passenger motor vehicles, newspapers,
20 periodicals, teletype news service, and travel (not to exceed
21 \$100,000 to be expended and accounted for as provided
22 by 3 U.S.C. 103); and not to exceed \$19,000 for official
23 entertainment expenses, to be available for allocation with-
24 in the Executive Office of the President, \$53,830,000:
25 *Provided*, That of the funds appropriated under this head-

1 ing, \$750,000 shall be for the Privacy and Civil Liberties
2 Oversight Board.

3 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

4 OPERATING EXPENSES

5 For the care, maintenance, repair and alteration, re-
6 furnishing, improvement, heating, and lighting, including
7 electric power and fixtures, of the Executive Residence at
8 the White House and official entertainment expenses of
9 the President, \$12,436,000, to be expended and accounted
10 for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

11 REIMBURSABLE EXPENSES

12 For the reimbursable expenses of the Executive Resi-
13 dence at the White House, such sums as may be nec-
14 essary: *Provided*, That all reimbursable operating expenses
15 of the Executive Residence shall be made in accordance
16 with the provisions of this paragraph: *Provided further*,
17 That, notwithstanding any other provision of law, such
18 amount for reimbursable operating expenses shall be the
19 exclusive authority of the Executive Residence to incur ob-
20 ligations and to receive offsetting collections, for such ex-
21 penses: *Provided further*, That the Executive Residence
22 shall require each person sponsoring a reimbursable polit-
23 ical event to pay in advance an amount equal to the esti-
24 mated cost of the event, and all such advance payments
25 shall be credited to this account and remain available until
26 expended: *Provided further*, That the Executive Residence

1 shall require the national committee of the political party
2 of the President to maintain on deposit \$25,000, to be
3 separately accounted for and available for expenses relat-
4 ing to reimbursable political events sponsored by such
5 committee during such fiscal year: *Provided further*, That
6 the Executive Residence shall ensure that a written notice
7 of any amount owed for a reimbursable operating expense
8 under this paragraph is submitted to the person owing
9 such amount within 60 days after such expense is in-
10 curred, and that such amount is collected within 30 days
11 after the submission of such notice: *Provided further*, That
12 the Executive Residence shall charge interest and assess
13 penalties and other charges on any such amount that is
14 not reimbursed within such 30 days, in accordance with
15 the interest and penalty provisions applicable to an out-
16 standing debt on a United States Government claim under
17 section 3717 of title 31, United States Code: *Provided fur-*
18 *ther*, That each such amount that is reimbursed, and any
19 accompanying interest and charges, shall be deposited in
20 the Treasury as miscellaneous receipts: *Provided further*,
21 That the Executive Residence shall prepare and submit
22 to the Committees on Appropriations, by not later than
23 90 days after the end of the fiscal year covered by this
24 Act, a report setting forth the reimbursable operating ex-
25 penses of the Executive Residence during the preceding

1 fiscal year, including the total amount of such expenses,
2 the amount of such total that consists of reimbursable offi-
3 cial and ceremonial events, the amount of such total that
4 consists of reimbursable political events, and the portion
5 of each such amount that has been reimbursed as of the
6 date of the report: *Provided further*, That the Executive
7 Residence shall maintain a system for the tracking of ex-
8 penses related to reimbursable events within the Executive
9 Residence that includes a standard for the classification
10 of any such expense as political or nonpolitical: *Provided*
11 *further*, That no provision of this paragraph may be con-
12 strued to exempt the Executive Residence from any other
13 applicable requirement of subchapter I or II of chapter
14 37 of title 31, United States Code.

15 WHITE HOUSE REPAIR AND RESTORATION

16 For the repair, alteration, and improvement of the
17 Executive Residence at the White House, \$1,700,000, to
18 remain available until expended, for required maintenance,
19 safety and health issues, and continued preventative main-
20 tenance.

21 COUNCIL OF ECONOMIC ADVISERS

22 SALARIES AND EXPENSES

23 For necessary expenses of the Council of Economic
24 Advisers in carrying out its functions under the Employ-
25 ment Act of 1946 (15 U.S.C. 1021), \$4,040,000.

1 OFFICE OF POLICY DEVELOPMENT

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Policy Devel-
4 opment, including services as authorized by 5 U.S.C. 3109
5 and 3 U.S.C. 107, \$3,500,000.

6 NATIONAL SECURITY COUNCIL

7 SALARIES AND EXPENSES

8 For necessary expenses of the National Security
9 Council, including services as authorized by 5 U.S.C.
10 3109, \$8,705,000.

11 OFFICE OF ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Office of Administra-
14 tion, including services as authorized by 5 U.S.C. 3109
15 and 3 U.S.C. 107, and hire of passenger motor vehicles,
16 \$89,322,000, of which \$11,768,000 shall remain available
17 until expended for the Capital Investment Plan for contin-
18 ued modernization of the information technology infra-
19 structure within the Executive Office of the President.

20 OFFICE OF MANAGEMENT AND BUDGET

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of Management
23 and Budget, including hire of passenger motor vehicles
24 and services as authorized by 5 U.S.C. 3109 and to carry
25 out the provisions of chapter 35 of title 44, United States

1 Code, \$76,930,000, of which not to exceed \$3,000 shall
2 be available for official representation expenses: *Provided*,
3 That, as provided in 31 U.S.C. 1301(a), appropriations
4 shall be applied only to the objects for which appropria-
5 tions were made and shall be allocated in accordance with
6 the terms and conditions set forth in the accompanying
7 Report except as otherwise provided by law: *Provided fur-*
8 *ther*, That none of the funds appropriated in this Act for
9 the Office of Management and Budget may be used for
10 the purpose of reviewing any agricultural marketing or-
11 ders or any activities or regulations under the provisions
12 of the Agricultural Marketing Agreement Act of 1937 (7
13 U.S.C. 601 et seq.): *Provided further*, That none of the
14 funds made available for the Office of Management and
15 Budget by this Act may be expended for the altering of
16 the transcript of actual testimony of witnesses, except for
17 testimony of officials of the Office of Management and
18 Budget, before the Committees on Appropriations or their
19 subcommittees: *Provided further*, That the preceding shall
20 not apply to printed hearings released by the Committees
21 on Appropriations.

22 OFFICE OF NATIONAL DRUG CONTROL POLICY

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of National
25 Drug Control Policy; for research activities pursuant to

1 the Office of National Drug Control Policy Reauthoriza-
2 tion Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed
3 \$10,000 for official reception and representation expenses;
4 and for participation in joint projects or in the provision
5 of services on matters of mutual interest with nonprofit,
6 research, or public organizations or agencies, with or with-
7 out reimbursement, \$26,908,000; of which \$1,316,000
8 shall remain available until expended for policy research
9 and evaluation: *Provided*, That the Office is authorized to
10 accept, hold, administer, and utilize gifts, both real and
11 personal, public and private, without fiscal year limitation,
12 for the purpose of aiding or facilitating the work of the
13 Office.

14 COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER
15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses for the Counterdrug Tech-
17 nology Assessment Center for research activities pursuant
18 to the Office of National Drug Control Policy Reauthor-
19 ization Act of 1998 (21 U.S.C. 1701 et seq.),
20 \$30,000,000, which shall remain available until expended,
21 consisting of \$18,000,000 for counternarcotics research
22 and development projects, and \$12,000,000 for the contin-
23 ued operation of the technology transfer program: *Pro-*
24 *vided*, That the \$18,000,000 for counternarcotics research
25 and development projects shall be available for transfer
26 to other Federal departments or agencies.

1 FEDERAL DRUG CONTROL PROGRAMS

2 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy's High Intensity Drug Trafficking
6 Areas Program, \$227,000,000, for drug control activities
7 consistent with the approved strategy for each of the des-
8 ignated High Intensity Drug Trafficking Areas, of which
9 no less than 51 percent shall be transferred to State and
10 local entities for drug control activities, which shall be ob-
11 ligated within 120 days of the date of the enactment of
12 this Act: *Provided*, That up to 49 percent, to remain avail-
13 able until September 30, 2007, may be transferred to Fed-
14 eral agencies and departments at a rate to be determined
15 by the Director, of which not less than \$2,000,000 shall
16 be used for auditing services and associated activities, and
17 at least \$500,000 of the \$2,000,000 shall be used to de-
18 velop and implement a data collection system to measure
19 the performance of the High Intensity Drug Trafficking
20 Areas Program: *Provided further*, That High Intensity
21 Drug Trafficking Areas Programs designated as of Sep-
22 tember 30, 2005, shall be funded at no less than the fiscal
23 year 2005 initial allocation levels unless the Director sub-
24 mits to the Committees on Appropriations, and the Com-
25 mittees approve, justification for changes in those levels
26 based on clearly articulated priorities for the High Inten-

1 city Drug Trafficking Areas Programs, as well as pub-
2 lished Office of National Drug Control Policy performance
3 measures of effectiveness: *Provided further*, That a request
4 shall be submitted in compliance with the reprogramming
5 guidelines to the Committees on Appropriations for ap-
6 proval prior to the obligation of funds of an amount in
7 excess of the fiscal year 2005 budget request: *Provided*
8 *further*, That not to exceed \$2,000,000 of the funds made
9 available under this heading in excess of the fiscal year
10 2005 budget request shall be available for the Consoli-
11 dated Priority Organization Target program.

12 OTHER FEDERAL DRUG CONTROL PROGRAMS

13 (INCLUDING TRANSFER OF FUNDS)

14 For activities to support a national anti-drug cam-
15 paign for youth, and for other purposes, authorized by the
16 Office of National Drug Control Policy Reauthorization
17 Act of 1998 (21 U.S.C. 1701 et seq.), \$213,292,000, to
18 remain available until expended, of which the following
19 amounts are available as follows: \$120,000,000 to support
20 a national media campaign, as authorized by the Drug-
21 Free Media Campaign Act of 1998: *Provided*, That
22 ONDCP shall maintain funding for non-advertising serv-
23 ices for the Media Campaign at no less than the Fiscal
24 Year 2003 ratio of service funding to total funds and shall
25 continue the corporate outreach program as it operated
26 prior to its cancellation: \$80,000,000 to continue a pro-

1 gram of matching grants to drug-free communities, of
2 which \$750,000 shall be a directed grant to the Commu-
3 nity Anti-Drug Coalitions of America for the National
4 Community Anti-Drug Coalition Institute, as authorized
5 in chapter 2 of the National Narcotics Leadership Act of
6 1988, as amended; \$1,000,000 for the National Drug
7 Court Institute; \$992,000 for the National Alliance for
8 Model State Drug Laws; \$7,400,000 for the United States
9 Anti-Doping Agency for anti-doping activities; \$2,900,000
10 for the United States membership dues to the World Anti-
11 Doping Agency; and \$1,000,000 for evaluations and re-
12 search related to National Drug Control Program per-
13 formance measures: *Provided further*, That such funds
14 may be transferred to other Federal departments and
15 agencies to carry out such activities: *Provided further*,
16 That of the amounts appropriated for a national media
17 campaign, not to exceed 12 percent shall be for adminis-
18 tration, advertising production, research and testing, labor
19 and related costs of the national media campaign.

20 UNANTICIPATED NEEDS

21 UNANTICIPATED NEEDS

22 For expenses necessary to enable the President to
23 meet unanticipated needs, in furtherance of the national
24 interest, security, or defense which may arise at home or

1 abroad during the current fiscal year, as authorized by
2 3 U.S.C. 108, \$1,000,000.

3 SPECIAL ASSISTANCE TO THE PRESIDENT

4 SALARIES AND EXPENSES

5 For necessary expenses to enable the Vice President
6 to provide assistance to the President in connection with
7 specially assigned functions; services as authorized by 5
8 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
9 penses as authorized by 3 U.S.C. 106, which shall be ex-
10 pended and accounted for as provided in that section; and
11 hire of passenger motor vehicles, \$4,455,000.

12 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

13 OPERATING EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For the care, operation, refurnishing, improvement,
16 and to the extent not otherwise provided for, heating and
17 lighting, including electric power and fixtures, of the offi-
18 cial residence of the Vice President; the hire of passenger
19 motor vehicles; and not to exceed \$90,000 for official en-
20 tertainment expenses of the Vice President, to be ac-
21 counted for solely on his certificate, \$325,000: *Provided,*
22 That advances or repayments or transfers from this ap-
23 propriation may be made to any department or agency for
24 expenses of carrying out such activities.

1 TITLE VII—INDEPENDENT AGENCIES

2 ARCHITECTURAL AND TRANSPORTATION BARRIERS

3 COMPLIANCE BOARD

4 SALARIES AND EXPENSES

5 For expenses necessary for the Architectural and
6 Transportation Barriers Compliance Board, as authorized
7 by section 502 of the Rehabilitation Act of 1973, as
8 amended, \$5,941,000: *Provided*, That, notwithstanding
9 any other provision of law, there may be credited to this
10 appropriation funds received for publications and training
11 expenses.

12 CONSUMER PRODUCT SAFETY COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Consumer Product
15 Safety Commission, including hire of passenger motor ve-
16 hicles, services as authorized by 5 U.S.C. 3109, but at
17 rates for individuals not to exceed the per diem rate equiv-
18 alent to the maximum rate payable under 5 U.S.C. 5376,
19 purchase of nominal awards to recognize non-Federal offi-
20 cials' contributions to Commission activities, and not to
21 exceed \$500 for official reception and representation ex-
22 penses, \$62,449,000.

1 ELECTION ASSISTANCE COMMISSION
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the Help Amer-
5 ica Vote Act of 2002, \$15,877,000, of which \$2,800,000
6 shall be transferred to the National Institute of Standards
7 and Technology for election reform activities authorized
8 under the Help America Vote Act of 2002.

9 FEDERAL DEPOSIT INSURANCE CORPORATION
10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, as amended \$29,965,000, to be de-
14 rived from the Bank Insurance Fund, the Savings Asso-
15 ciation Insurance Fund, and the FSLIC Resolution Fund.

16 FEDERAL ELECTION COMMISSION
17 SALARIES AND EXPENSES

18 For necessary expenses to carry out the provisions
19 of the Federal Election Campaign Act of 1971, as amend-
20 ed, \$54,700,000, of which no less than \$4,700,000 shall
21 be available for internal automated data processing sys-
22 tems, and of which not to exceed \$5,000 shall be available
23 for reception and representation expenses.

1 FEDERAL LABOR RELATIONS AUTHORITY
2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Federal Labor Relations Authority, pursuant to Reorga-
5 nization Plan Numbered 2 of 1978, and the Civil Service
6 Reform Act of 1978, including services authorized by 5
7 U.S.C. 3109, and including hire of experts and consult-
8 ants, hire of passenger motor vehicles, and rental of con-
9 ference rooms in the District of Columbia and elsewhere,
10 \$25,468,000: *Provided*, That public members of the Fed-
11 eral Service Impasses Panel may be paid travel expenses
12 and per diem in lieu of subsistence as authorized by law
13 (5 U.S.C. 5703) for persons employed intermittently in
14 the Government service, and compensation as authorized
15 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
16 31 U.S.C. 3302, funds received from fees charged to non-
17 Federal participants at labor-management relations con-
18 ferences shall be credited to and merged with this account,
19 to be available without further appropriation for the costs
20 of carrying out these conferences.

21 FEDERAL MARITIME COMMISSION
22 SALARIES AND EXPENSES

23 For necessary expenses of the Federal Maritime
24 Commission as authorized by section 201(d) of the Mer-
25 chant Marine Act, 1936, as amended (46 U.S.C. App.

1 1111), including services as authorized by 5 U.S.C. 3109;
2 hire of passenger motor vehicles as authorized by 31
3 U.S.C. 1343(b); and uniforms or allowances therefor, as
4 authorized by 5 U.S.C. 5901–5902, \$20,499,000: *Pro-*
5 *vided*, That not to exceed \$2,000 shall be available for offi-
6 cial reception and representation expenses.

7 GENERAL SERVICES ADMINISTRATION

8 REAL PROPERTY ACTIVITIES

9 FEDERAL BUILDINGS FUND

10 LIMITATIONS ON AVAILABILITY OF REVENUE

11 (INCLUDING TRANSFER OF FUNDS)

12 To carry out the purposes of the Fund established
13 pursuant to section 210(f) of the Federal Property and
14 Administrative Services Act of 1949, as amended (40
15 U.S.C. 592), the revenues and collections deposited into
16 the Fund shall be available for necessary expenses of real
17 property management and related activities not otherwise
18 provided for, including operation, maintenance, and pro-
19 tection of federally owned and leased buildings; rental of
20 buildings in the District of Columbia; restoration of leased
21 premises; moving governmental agencies (including space
22 adjustments and telecommunications relocation expenses)
23 in connection with the assignment, allocation and transfer
24 of space; contractual services incident to cleaning or serv-
25 icing buildings, and moving; repair and alteration of feder-
26 ally owned buildings including grounds, approaches and

1 appurtenances; care and safeguarding of sites; mainte-
2 nance, preservation, demolition, and equipment; acquisi-
3 tion of buildings and sites by purchase, condemnation, or
4 as otherwise authorized by law; acquisition of options to
5 purchase buildings and sites; conversion and extension of
6 federally owned buildings; preliminary planning and de-
7 sign of projects by contract or otherwise; construction of
8 new buildings (including equipment for such buildings);
9 and payment of principal, interest, and any other obliga-
10 tions for public buildings acquired by installment purchase
11 and purchase contract; in the aggregate amount of
12 \$7,768,795,000, of which: (1) \$708,106,000 shall remain
13 available until expended for construction (including funds
14 for sites and expenses and associated design and construc-
15 tion services) of additional projects at the following loca-
16 tions:

17 New Construction:

18 California:

19 San Diego, United States Courthouse,
20 \$230,803,000.

21 Colorado:

22 Lakewood, Denver Federal Center Infra-
23 structure, \$4,658,000.

24 District of Columbia:

25 Coast Guard Consolidation, \$24,900,000.

1 Saint Elizabeths West Campus Infrastruc-
2 ture, \$13,095,000.

3 Southeast Federal Center Site Remedi-
4 ation, \$15,000,000.

5 Maine:

6 Calais, Border Station, \$50,146,000.

7 Jackman, Border Station, \$12,788,000.

8 Maryland:

9 Montgomery County, Food and Drug Ad-
10 ministration Consolidation, \$127,600,000.

11 New York:

12 Champlain, Border Station, \$52,510,000.

13 Massena, Border Station, \$49,783,000.

14 Texas:

15 Austin, United States Courthouse,
16 \$3,000,000.

17 Washington:

18 Blaine, Peace Arch Border Station,
19 \$46,534,000.

20 Material Price increases, various projects,
21 \$67,789,000.

22 Nonprospectus Construction, \$9,500,000:

23 *Provided*, That each of the foregoing limits of costs on
24 new construction projects may be exceeded to the extent
25 that savings are effected in other such projects, but not

1 to exceed 10 percent of the amounts included in an ap-
2 proved prospectus, if required, unless advance approval is
3 obtained from the Committees on Appropriations of a
4 greater amount: *Provided further*, That all funds for direct
5 construction projects shall expire on September 30, 2007,
6 and remain in the Federal Buildings Fund except for
7 funds for projects as to which funds for design or other
8 funds have been obligated in whole or in part prior to such
9 date; (2) \$961,376,000 shall remain available until ex-
10 pended for repairs and alterations, which includes associ-
11 ated design and construction services:

12 Repairs and Alterations:

13 Arizona:

14 Tucson, James A. Walsh Courthouse,
15 \$16,136,000.

16 District of Columbia:

17 Eisenhower Executive Office Building,
18 \$133,417,000.

19 Federal Office Building 8, \$47,769,000.

20 Heating, Operation, and Transmission Dis-
21 trict Repair, \$18,783,000.

22 Herbert C. Hoover Building, \$54,491,000.

23 Main Interior Building, \$41,399,000.

24 Georgia:

1 Atlanta, Martin Luther King, Jr. Federal
2 Building, \$30,129,000.

3 New York:

4 Brooklyn, Emanuel Celler Courthouse,
5 \$96,924,000.

6 New York City, James Watson Federal
7 Building and Courthouse, \$9,721,000.

8 Special Emphasis Programs:

9 Chlorofluorocarbons Program,
10 \$10,000,000.

11 Energy Program, \$30,000,000.

12 Glass Fragment Retention, \$15,700,000.

13 Design Program, \$21,915,000.

14 Basic Repairs and Alterations, \$434,992,000:

15 *Provided further*, That funds made available in this or any
16 previous Act in the Federal Buildings Fund for Repairs
17 and Alterations shall, for prospectus projects, be limited
18 to the amount identified for each project, except each
19 project in this or any previous Act may be increased by
20 an amount not to exceed 10 percent unless advance ap-
21 proval is obtained from the Committees on Appropriations
22 of a greater amount: *Provided further*, That additional
23 projects for which prospectuses have been fully approved
24 may be funded under this category only if advance ap-
25 proval is obtained from the Committees on Appropria-

1 tions: *Provided further*, That the amounts provided in this
2 or any prior Act for “Repairs and Alterations” may be
3 used to fund costs associated with implementing security
4 improvements to buildings necessary to meet the minimum
5 standards for security in accordance with current law and
6 in compliance with the reprogramming guidelines of the
7 appropriate Committees of the House and Senate: *Pro-*
8 *vided further*, That the difference between the funds ap-
9 propriated and expended on any projects in this or any
10 prior Act, under the heading “Repairs and Alterations”,
11 may be transferred to Basic Repairs and Alterations or
12 used to fund authorized increases in prospectus projects:
13 *Provided further*, That all funds for repairs and alterations
14 prospectus projects shall expire on September 30, 2007,
15 and remain in the Federal Buildings Fund except funds
16 for projects as to which funds for design or other funds
17 have been obligated in whole or in part prior to such date:
18 *Provided further*, That the amount provided in this or any
19 prior Act for Basic Repairs and Alterations may be used
20 to pay claims against the Government arising from any
21 projects under the heading “Repairs and Alterations” or
22 used to fund authorized increases in prospectus projects;
23 (3) \$168,180,000 for installment acquisition payments in-
24 cluding payments on purchase contracts which shall re-
25 main available until expended; (4) \$4,046,031,000 for

1 rental of space which shall remain available until ex-
2 pended; and (5) \$1,885,102,000 for building operations
3 which shall remain available until expended: *Provided fur-*
4 *ther*, That funds available to the General Services Admin-
5 istration shall not be available for expenses of any con-
6 struction, repair, alteration and acquisition project for
7 which a prospectus, if required by the Public Buildings
8 Act of 1959, as amended, has not been approved, except
9 that necessary funds may be expended for each project
10 for required expenses for the development of a proposed
11 prospectus: *Provided further*, That funds available in the
12 Federal Buildings Fund may be expended for emergency
13 repairs when advance approval is obtained from the Com-
14 mittees on Appropriations: *Provided further*, That
15 amounts necessary to provide reimbursable special services
16 to other agencies under section 210(f)(6) of the Federal
17 Property and Administrative Services Act of 1949, as
18 amended (40 U.S.C. 592(b)(2)) and amounts to provide
19 such reimbursable fencing, lighting, guard booths, and
20 other facilities on private or other property not in Govern-
21 ment ownership or control as may be appropriate to enable
22 the United States Secret Service to perform its protective
23 functions pursuant to 18 U.S.C. 3056, shall be available
24 from such revenues and collections: *Provided further*, That
25 revenues and collections and any other sums accruing to

1 to adjudication of Indian Tribal Claims by the United
2 States Court of Federal Claims; services as authorized by
3 5 U.S.C. 3109; and not to exceed \$7,500 for official recep-
4 tion and representation expenses, \$99,890,000.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General and service authorized by 5 U.S.C. 3109,
8 \$43,410,000: *Provided*, That not to exceed \$15,000 shall
9 be available for payment for information and detection of
10 fraud against the Government, including payment for re-
11 covery of stolen Government property: *Provided further*,
12 That not to exceed \$2,500 shall be available for awards
13 to employees of other Federal agencies and private citizens
14 in recognition of efforts and initiatives resulting in en-
15 hanced Office of Inspector General effectiveness.

16 ELECTRONIC GOVERNMENT FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses in support of interagency
19 projects that enable the Federal Government to expand
20 its ability to conduct activities electronically, through the
21 development and implementation of innovative uses of the
22 Internet and other electronic methods, \$3,000,000, to re-
23 main available until expended: *Provided*, That these funds
24 may be transferred to Federal agencies to carry out the
25 purposes of the Fund: *Provided further*, That this transfer
26 authority shall be in addition to any other transfer author-

1 Fund and shall not be available for expenditure except as
2 authorized in appropriations Acts.

3 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

4 ADMINISTRATION

5 SEC. 701. The appropriate appropriation or fund
6 available to the General Services Administration shall be
7 credited with the cost of operation, protection, mainte-
8 nance, upkeep, repair, and improvement, included as part
9 of rentals received from Government corporations pursu-
10 ant to law (40 U.S.C. 129).

11 SEC. 702. Funds available to the General Services
12 Administration shall be available for the hire of passenger
13 motor vehicles.

14 SEC. 703. Funds in the Federal Buildings Fund
15 made available for fiscal year 2006 for Federal Buildings
16 Fund activities may be transferred between such activities
17 only to the extent necessary to meet program require-
18 ments: *Provided*, That any proposed transfers shall be ap-
19 proved in advance by the Committees on Appropriations.

20 SEC. 704. No funds made available by this Act shall
21 be used to transmit a fiscal year 2007 request for United
22 States Courthouse construction that: (1) does not meet
23 the design guide standards for construction as established
24 and approved by the General Services Administration, the
25 Judicial Conference of the United States, and the Office

1 of Management and Budget; and (2) does not reflect the
2 priorities of the Judicial Conference of the United States
3 as set out in its approved 5-year construction plan: *Pro-*
4 *vided*, That the fiscal year 2007 request must be accom-
5 panied by a standardized courtroom utilization study of
6 each facility to be constructed, replaced, or expanded.

7 SEC. 705. None of the funds provided in this Act may
8 be used to increase the amount of occupiable square feet,
9 provide cleaning services, security enhancements, or any
10 other service usually provided through the Federal Build-
11 ings Fund, to any agency that does not pay the rate per
12 square foot assessment for space and services as deter-
13 mined by the General Services Administration in compli-
14 ance with the Public Buildings Amendments Act of 1972
15 (Public Law 92–313).

16 SEC. 706. From funds made available under the
17 heading “Federal Buildings Fund, Limitations on Avail-
18 ability of Revenue”, claims against the Government of less
19 than \$250,000 arising from direct construction projects
20 and acquisition of buildings may be liquidated from sav-
21 ings effected in other construction projects with prior noti-
22 fication to the Committees on Appropriations.

23 SEC. 707. No funds in this Act shall be used to dis-
24 pose of the GSA property located at 522 North Central

1 Avenue, on the southwest corner of Central Avenue and
2 Fillmore Street in Phoenix, Arizona.

3 MERIT SYSTEMS PROTECTION BOARD

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out functions of the
7 Merit Systems Protection Board pursuant to Reorganiza-
8 tion Plan Numbered 2 of 1978, the Civil Service Reform
9 Act of 1978, and the Whistleblower Protection Act of
10 1989 (5 U.S.C. 5509 note), as amended, including services
11 as authorized by 5 U.S.C. 3109, rental of conference
12 rooms in the District of Columbia and elsewhere, hire of
13 passenger motor vehicles, direct procurement of survey
14 printing, and not to exceed \$2,000 for official reception
15 and representation expenses, \$35,600,000 together with
16 not to exceed \$2,605,000 for administrative expenses to
17 adjudicate retirement appeals to be transferred from the
18 Civil Service Retirement and Disability Fund in amounts
19 determined by the Merit Systems Protection Board.

20 MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN

21 NATIONAL ENVIRONMENTAL POLICY FOUNDATION

22 MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN

23 NATIONAL ENVIRONMENTAL POLICY TRUST FUND

24 (INCLUDING TRANSFER OF FUNDS)

25 For payment to the Morris K. Udall Scholarship and
26 Excellence in National Environmental Policy Trust Fund,

1 pursuant to the Morris K. Udall Scholarship and Excel-
2 lence in National Environmental and Native American
3 Public Policy Act of 1992 (20 U.S.C. 5601 et seq.),
4 \$2,000,000, to remain available until expended, of which
5 up to \$50,000 shall be used to conduct financial audits
6 pursuant to the Accountability of Tax Dollars Act of 2002
7 (Public Law 107–289) notwithstanding sections 8 and 9
8 of Public Law 102–259: *Provided*, That up to 60 percent
9 of such funds may be transferred by the Morris K. Udall
10 Scholarship and Excellence in National Environmental
11 Policy Foundation for the necessary expenses of the Na-
12 tive Nations Institute.

13 ENVIRONMENTAL DISPUTE RESOLUTION FUND

14 For payment to the Environmental Dispute Resolu-
15 tion Fund to carry out activities authorized in the Envi-
16 ronmental Policy and Conflict Resolution Act of 1998,
17 \$1,900,000, to remain available until expended.

18 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

19 OPERATING EXPENSES

20 For necessary expenses in connection with the admin-
21 istration of the National Archives and Records Adminis-
22 tration (including the Information Security Oversight Of-
23 fice) and archived Federal records and related activities,
24 as provided by law, and for expenses necessary for the re-
25 view and declassification of documents, and for the hire
26 of passenger motor vehicles, \$283,975,000,000: *Provided*,

1 That the Archivist of the United States is authorized to
2 use any excess funds available from the amount borrowed
3 for construction of the National Archives facility, for ex-
4 penses necessary to provide adequate storage for holdings:
5 *Provided further*, That of the funds provided in this para-
6 graph, \$2,930,000 shall be for initial move of records,
7 staffing, and operations of the Nixon Library.

8 ELECTRONIC RECORDS ARCHIVES

9 For necessary expenses in connection with the devel-
10 opment of the electronic records archives, to include all
11 direct project costs associated with research, analysis, de-
12 sign, development, and program management,
13 \$35,914,000.

14 REPAIRS AND RESTORATION

15 For the repair, alteration, and improvement of ar-
16 chives facilities, and to provide adequate storage for hold-
17 ings, \$6,182,000, to remain available until expended.

18 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

19 COMMISSION

20 GRANTS PROGRAM

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses for allocations and grants for
23 historical publications and records as authorized by 44
24 U.S.C. 2504, as amended, \$7,500,000, to remain available
25 until expended: *Provided*, That of the funds provided in
26 this paragraph, \$2,000,000 shall be transferred to the op-

1 erating expenses account for operating expenses of the Na-
2 tional Historical Publications and Records Administra-
3 tion.

4 NATIONAL CREDIT UNION ADMINISTRATION

5 CENTRAL LIQUIDITY FACILITY

6 (INCLUDING TRANSFER OF FUNDS)

7 During fiscal year 2006, gross obligations of the Cen-
8 tral Liquidity Facility for the principal amount of new di-
9 rect loans to member credit unions, as authorized by 12
10 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Pro-*
11 *vided*, That administrative expenses of the Central Liquid-
12 ity Facility in fiscal year 2006 shall not exceed \$323,000.

13 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

14 For the Community Development Revolving Loan
15 Fund program as authorized by 42 U.S.C. 9812, 9822,
16 and 9910, \$950,000 shall be available until September 30,
17 2007, for technical assistance to low-income designated
18 credit unions, and amounts of principal and interest on
19 loans repaid shall be available until expended for low-in-
20 come designated credit unions.

21 NATIONAL TRANSPORTATION SAFETY BOARD

22 SALARIES AND EXPENSES

23 For necessary expenses of the National Transpor-
24 tation Safety Board, including hire of passenger motor ve-
25 hicles and aircraft; services as authorized by 5 U.S.C.
26 3109, but at rates for individuals not to exceed the per

1 diem rate equivalent to the rate for a GS-15; uniforms,
2 or allowances therefor, as authorized by law (5 U.S.C.
3 5901-5902) \$76,700,000, of which not to exceed \$2,000
4 may be used for official reception and representation ex-
5 penses.

6 (RESCISSION)

7 Of the available unobligated balances made available
8 under Public Law 106-246, \$1,000,000 are rescinded.

9 NEIGHBORHOOD REINVESTMENT CORPORATION
10 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
11 CORPORATION

12 For payment to the Neighborhood Reinvestment Cor-
13 poration for use in neighborhood reinvestment activities,
14 as authorized by the Neighborhood Reinvestment Corpora-
15 tion Act (42 U.S.C. 8101-8107), \$118,000,000.

16 OFFICE OF GOVERNMENT ETHICS
17 SALARIES AND EXPENSES

18 For necessary expenses to carry out functions of the
19 Office of Government Ethics pursuant to the Ethics in
20 Government Act of 1978, as amended and the Ethics Re-
21 form Act of 1989, including services as authorized by 5
22 U.S.C. 3109, rental of conference rooms in the District
23 of Columbia and elsewhere, hire of passenger motor vehi-
24 cles, and not to exceed \$1,500 for official reception and
25 representation expenses, \$11,148,000.

1 OFFICE OF PERSONNEL MANAGEMENT
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF TRUST FUNDS)

4 For necessary expenses to carry out functions of the
5 Office of Personnel Management pursuant to Reorganiza-
6 tion Plan Numbered 2 of 1978 and the Civil Service Re-
7 form Act of 1978, including services as authorized by 5
8 U.S.C. 3109; medical examinations performed for veterans
9 by private physicians on a fee basis; rental of conference
10 rooms in the District of Columbia and elsewhere; hire of
11 passenger motor vehicles; not to exceed \$2,500 for official
12 reception and representation expenses; advances for reim-
13 bursements to applicable funds of the Office of Personnel
14 Management and the Federal Bureau of Investigation for
15 expenses incurred under Executive Order No. 10422 of
16 January 9, 1953, as amended; and payment of per diem
17 and/or subsistence allowances to employees where Voting
18 Rights Act activities require an employee to remain over-
19 night at his or her post of duty, \$119,952,000, of which
20 \$6,983,000 shall remain available until expended for the
21 Enterprise Human Resources Integration project;
22 \$1,450,000 shall remain available until expended for the
23 Human Resources Line of Business project; \$500,000
24 shall remain available until expended for the E-Training
25 project; and \$1,412,000 shall remain available until ex-
26 pended until September 30, 2007 for the E-Payroll

1 project; and in addition \$102,679,000 for administrative
2 expenses, to be transferred from the appropriate trust
3 funds of the Office of Personnel Management without re-
4 gard to other statutes, including direct procurement of
5 printed materials, for the retirement and insurance pro-
6 grams: *Provided*, That the provisions of this appropriation
7 shall not affect the authority to use applicable trust funds
8 as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A)
9 of title 5, United States Code: *Provided further*, That no
10 part of this appropriation shall be available for salaries
11 and expenses of the Legal Examining Unit of the Office
12 of Personnel Management established pursuant to Execu-
13 tive Order No. 9358 of July 1, 1943, or any successor
14 unit of like purpose: *Provided further*, That the President's
15 Commission on White House Fellows, established by Exec-
16 utive Order No. 11183 of October 3, 1964, may, during
17 fiscal year 2006, accept donations of money, property, and
18 personal services: *Provided further*, That such donations,
19 including those from prior years, may be used for the de-
20 velopment of publicity materials to provide information
21 about the White House Fellows, except that no such dona-
22 tions shall be accepted for travel or reimbursement of trav-
23 el expenses, or for the salaries of employees of such Com-
24 mission.

1 OFFICE OF INSPECTOR GENERAL
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF TRUST FUNDS)

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act, as amended, including services as authorized
7 by 5 U.S.C. 3109, hire of passenger motor vehicles,
8 \$1,614,000, and in addition, not to exceed \$16,786,000
9 for administrative expenses to audit, investigate, and pro-
10 vide other oversight of the Office of Personnel Manage-
11 ment's retirement and insurance programs, to be trans-
12 ferred from the appropriate trust funds of the Office of
13 Personnel Management, as determined by the Inspector
14 General: *Provided*, That the Inspector General is author-
15 ized to rent conference rooms in the District of Columbia
16 and elsewhere.

17 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES
18 HEALTH BENEFITS

19 For payment of Government contributions with re-
20 spect to retired employees, as authorized by chapter 89
21 of title 5, United States Code, and the Retired Federal
22 Employees Health Benefits Act (74 Stat. 849), as amend-
23 ed, such sums as may be necessary.

1 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE
2 LIFE INSURANCE

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

7 PAYMENT TO CIVIL SERVICE RETIREMENT AND
8 DISABILITY FUND

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

19 OFFICE OF SPECIAL COUNSEL
20 SALARIES AND EXPENSES

21 For necessary expenses to carry out functions of the
22 Office of Special Counsel pursuant to Reorganization Plan
23 Numbered 2 of 1978, the Civil Service Reform Act of
24 1978 (Public Law 95–454), as amended, the Whistle-
25 blower Protection Act of 1989 (Public Law 101–12), as
26 amended, Public Law 107–304, and the Uniformed Serv-

1 ices Employment and Reemployment Act of 1994 (Public
2 Law 103–353), including services as authorized by 5
3 U.S.C. 3109, payment of fees and expenses for witnesses,
4 rental of conference rooms in the District of Columbia and
5 elsewhere, and hire of passenger motor vehicles;
6 \$15,325,000.

7 SELECTIVE SERVICE SYSTEM

8 SALARIES AND EXPENSES

9 For necessary expenses of the Selective Service Sys-
10 tem, including expenses of attendance at meetings and of
11 training for uniformed personnel assigned to the Selective
12 Service System, as authorized by 5 U.S.C. 4101–4118 for
13 civilian employees; purchase of uniforms, or allowances
14 therefor, as authorized by 5 U.S.C. 5901–5902; hire of
15 passenger motor vehicles; services as authorized by 5
16 U.S.C. 3109; and not to exceed \$750 for official reception
17 and representation expenses; \$24,000,000: *Provided*, That
18 during the current fiscal year, the President may exempt
19 this appropriation from the provisions of 31 U.S.C. 1341,
20 whenever the President deems such action to be necessary
21 in the interest of national defense: *Provided further*, That
22 none of the funds appropriated by this Act may be ex-
23 pended for or in connection with the induction of any per-
24 son into the Armed Forces of the United States.

1 UNITED STATES INTERAGENCY COUNCIL ON
2 HOMELESSNESS
3 OPERATING EXPENSES

4 For necessary expenses (including payment of sala-
5 ries, authorized travel, hire of passenger motor vehicles,
6 the rental of conference rooms, and the employment of ex-
7 perts and consultants under section 3109 of title 5, United
8 States Code) of the United States Interagency Council on
9 Homelessness in carrying out the functions pursuant to
10 title II of the McKinney-Vento Homeless Assistance Act,
11 as amended, \$1,499,000.

12 UNITED STATES POSTAL SERVICE
13 PAYMENT TO THE POSTAL SERVICE FUND

14 For payment to the Postal Service Fund for revenue
15 forgone on free and reduced rate mail, pursuant to sub-
16 sections (c) and (d) of section 2401 of title 39, United
17 States Code, \$116,350,000, of which \$73,000,000 shall
18 not be available for obligation until October 1, 2006: *Pro-*
19 *vided*, That mail for overseas voting and mail for the blind
20 shall continue to be free: *Provided further*, That 6-day de-
21 livery and rural delivery of mail shall continue at not less
22 than the 1983 level: *Provided further*, That none of the
23 funds made available to the Postal Service by this Act
24 shall be used to implement any rule, regulation, or policy
25 of charging any officer or employee of any State or local

1 child support enforcement agency, or any individual par-
2 ticipating in a State or local program of child support en-
3 forcement, a fee for information requested or provided
4 concerning an address of a postal customer: *Provided fur-*
5 *ther*, That none of the funds provided in this Act shall
6 be used to consolidate or close small rural and other small
7 post offices in fiscal year 2006.

8 UNITED STATES TAX COURT

9 SALARIES AND EXPENSES

10 For necessary expenses, including contract reporting
11 and other services as authorized by 5 U.S.C. 3109,
12 \$48,998,000: *Provided*, That travel expenses of the judges
13 shall be paid upon the written certificate of the judge.

14 TITLE VIII—GENERAL PROVISIONS THIS ACT

15 (INCLUDING TRANSFERS OF FUNDS)

16 SEC. 801. Such sums as may be necessary for fiscal
17 year 2006 pay raises for programs funded in this Act shall
18 be absorbed within the levels appropriated in this Act or
19 previous appropriations Acts.

20 SEC. 802. None of the funds in this Act shall be used
21 for the planning or execution of any program to pay the
22 expenses of, or otherwise compensate, non-Federal parties
23 intervening in regulatory or adjudicatory proceedings
24 funded in this Act.

1 SEC. 803. None of the funds appropriated in this Act
2 shall remain available for obligation beyond the current
3 fiscal year, nor may any be transferred to other appropria-
4 tions, unless expressly so provided herein.

5 SEC. 804. The expenditure of any appropriation
6 under this Act for any consulting service through procure-
7 ment contract pursuant to section 3109 of title 5, United
8 States Code, shall be limited to those contracts where such
9 expenditures are a matter of public record and available
10 for public inspection, except where otherwise provided
11 under existing law, or under existing Executive order
12 issued pursuant to existing law.

13 SEC. 805. None of the funds made available in this
14 Act may be transferred to any department, agency, or in-
15 strumentality of the United States Government, except
16 pursuant to a transfer made by, or transfer authority pro-
17 vided in, this Act or any other appropriations Act.

18 SEC. 806. None of the funds made available by this
19 Act shall be available for any activity or for paying the
20 salary of any Government employee where funding an ac-
21 tivity or paying a salary to a Government employee would
22 result in a decision, determination, rule, regulation, or pol-
23 icy that would prohibit the enforcement of section 307 of
24 the Tariff Act of 1930.

1 SEC. 807. No part of any appropriation contained in
2 this Act shall be available to pay the salary for any person
3 filling a position, other than a temporary position, for-
4 merly held by an employee who has left to enter the Armed
5 Forces of the United States and has satisfactorily com-
6 pleted his period of active military or naval service, and
7 has within 90 days after his release from such service or
8 from hospitalization continuing after discharge for a pe-
9 riod of not more than 1 year, made application for restora-
10 tion to his former position and has been certified by the
11 Office of Personnel Management as still qualified to per-
12 form the duties of his former position and has not been
13 restored thereto.

14 SEC. 808. No funds appropriated pursuant to this
15 Act may be expended by an entity unless the entity agrees
16 that in expending the assistance the entity will comply
17 with sections 2 through 4 of the Act of March 3, 1933
18 (41 U.S.C. 10a–10c, popularly known as the “Buy Amer-
19 ica Act”).

20 SEC. 809. No funds appropriated or otherwise made
21 available under this Act shall be made available to any
22 person or entity that has been convicted of violating the
23 Buy American Act (41 U.S.C. 10a–10c).

24 SEC. 810. None of the funds provided in this Act,
25 provided by previous appropriations Acts to the agencies

1 or entities funded in this Act that remain available for
2 obligation or expenditure in fiscal year 2005, or provided
3 from any accounts in the Treasury derived by the collec-
4 tion of fees and available to the agencies funded by this
5 Act, shall be available for obligation or expenditure
6 through a reprogramming of funds that: (1) creates a new
7 program; (2) eliminates a program, project, or activity; (3)
8 increases funds or personnel for any program, project, or
9 activity for which funds have been denied or restricted by
10 the Congress; (4) proposes to use funds directed for a spe-
11 cific activity by either the House or Senate Committees
12 on Appropriations for a different purpose; (5) augments
13 existing programs, projects, or activities in excess of
14 \$2,000,000 or 10 percent, whichever is greater; (6) re-
15 duces existing programs, projects, or activities by
16 \$2,000,000 or 10 percent, whichever is greater; or (7) cre-
17 ates, reorganizes, or restructures a branch, division, office,
18 bureau, board, commission, agency, administration, or de-
19 partment different from the budget justifications sub-
20 mitted to the Committees on Appropriations or the table
21 accompanying the statement of the managers accom-
22 panying this Act, whichever is more detailed, unless prior
23 approval is received from the House and Senate Commit-
24 tees on Appropriations: *Provided*, That not later than 60
25 days after the date of enactment of this Act, each agency

1 funded by this Act shall submit a report to the Committee
2 on Appropriations of the Senate and of the House of Rep-
3 resentatives to establish the baseline for application of re-
4 programming and transfer authorities for the current fis-
5 cal year: *Provided further*, That the report shall include:
6 (1) a table for each appropriation with a separate column
7 to display the President's budget request, adjustments
8 made by Congress, adjustments due to enacted rescissions,
9 if appropriate, and the fiscal year enacted level; (2) a de-
10 lineation in the table for each appropriation both by object
11 class and program, project, and activity as detailed in the
12 budget appendix for the respective appropriation; and (3)
13 an identification of items of special congressional interest:
14 *Provided further*, That the amount appropriated or limited
15 for salaries and expenses for an agency shall be reduced
16 by \$100,000 per day for each day after the required date
17 that the report has not been submitted to the Congress.

18 SEC. 811. Except as otherwise specifically provided
19 by law, not to exceed 50 percent of unobligated balances
20 remaining available at the end of fiscal year 2006 from
21 appropriations made available for salaries and expenses
22 for fiscal year 2006 in this Act, shall remain available
23 through September 30, 2007, for each such account for
24 the purposes authorized: *Provided*, That a request shall
25 be submitted to the Committees on Appropriations for ap-

1 proval prior to the expenditure of such funds: *Provided*
2 *further*, That these requests shall be made in compliance
3 with reprogramming guidelines.

4 SEC. 812. None of the funds made available in this
5 Act may be used by the Executive Office of the President
6 to request from the Federal Bureau of Investigation any
7 official background investigation report on any individual,
8 except when—

9 (1) such individual has given his or her express
10 written consent for such request not more than 6
11 months prior to the date of such request and during
12 the same presidential administration; or

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

15 SEC. 813. The cost accounting standards promul-
16 gated under section 26 of the Office of Federal Procure-
17 ment Policy Act (Public Law 93–400; 41 U.S.C. 422)
18 shall not apply with respect to a contract under the Fed-
19 eral Employees Health Benefits Program established
20 under chapter 89 of title 5, United States Code.

21 SEC. 814. For the purpose of resolving litigation and
22 implementing any settlement agreements regarding the
23 nonforeign area cost-of-living allowance program, the Of-
24 fice of Personnel Management may accept and utilize
25 (without regard to any restriction on unanticipated travel

1 expenses imposed in an Appropriations Act) funds made
2 available to the Office pursuant to court approval.

3 SEC. 815. No funds appropriated by this Act shall
4 be available to pay for an abortion, or the administrative
5 expenses in connection with any health plan under the
6 Federal employees health benefits program which provides
7 any benefits or coverage for abortions.

8 SEC. 816. The provision of section 815 shall not
9 apply where the life of the mother would be endangered
10 if the fetus were carried to term, or the pregnancy is the
11 result of an act of rape or incest.

12 SEC. 817. In order to promote Government access to
13 commercial information technology, the restriction on pur-
14 chasing nondomestic articles, materials, and supplies set
15 forth in the Buy American Act (41 U.S.C. 10a et seq.),
16 shall not apply to the acquisition by the Federal Govern-
17 ment of information technology (as defined in section
18 11101 of title 40, United States Code), that is a commer-
19 cial item (as defined in section 4(12) of the Office of Fed-
20 eral Procurement Policy Act (41 U.S.C. 403(12)).

21 SEC. 818. None of the funds made available in the
22 Act may be used to finalize, implement, administer, or en-
23 force—

24 (1) the proposed rule relating to the determina-
25 tion that real estate brokerage is an activity that is

1 financial in nature or incidental to a financial activ-
2 ity published in the Federal Register on January 3,
3 2001 (66 Fed. Reg. 307 et seq.); or

4 (2) the revision proposed in such rule to section
5 1501.2 of title 12 of the Code of Federal Regula-
6 tions.

7 SEC. 819. Of the funds provided in title I of this Act
8 under the heading, “Office of the Secretary, Transpor-
9 tation Planning, Research, and Development”, \$3,000,000
10 shall be available for necessary expenses to reimburse
11 fixed-based general aviation operators and the providers
12 of general aviation ground support services at Ronald
13 Reagan Washington National Airport, and airports within
14 15 miles of Ronald Reagan Washington National Airport,
15 for financial losses incurred by these operators while such
16 airports were closed due to the actions of the Federal Gov-
17 ernment following the terrorist attacks on the United
18 States that occurred on September 11, 2001: *Provided*,
19 That such funds shall remain available until expended:
20 *Provided further*, That obligation and expenditure of these
21 funds shall be made conditional upon full release of the
22 U.S. Government for all claims arising from the closing
23 of these general aviation facilities.

24 SEC. 820. Section 640(c) of the Treasury and Gen-
25 eral Government Appropriations Act, 2000 (Public Law

1 106–58; 2 U.S.C. 437g note), as amended by section 642
2 of the Treasury and General Government Appropriations
3 Act, 2002 (Public Law 107–67) and by section 639 of the
4 Transportation, Treasury, and Independent Agencies Ap-
5 propriations Act, 2004 (Public Law 108–199), is amended
6 by striking “December 31, 2005” and inserting “Decem-
7 ber 31, 2008”.

8 TITLE IX—GENERAL PROVISIONS,
9 GOVERNMENT-WIDE

10 DEPARTMENTS, AGENCIES, AND CORPORATIONS

11 SEC. 901. Funds appropriated in this or any other
12 Act may be used to pay travel to the United States for
13 the immediate family of employees serving abroad in cases
14 of death or life threatening illness of said employee.

15 SEC. 902. No department, agency, or instrumentality
16 of the United States receiving appropriated funds under
17 this or any other Act for fiscal year 2006 shall obligate
18 or expend any such funds, unless such department, agen-
19 cy, or instrumentality has in place, and will continue to
20 administer in good faith, a written policy designed to en-
21 sure that all of its workplaces are free from the illegal
22 use, possession, or distribution of controlled substances
23 (as defined in the Controlled Substances Act) by the offi-
24 cers and employees of such department, agency, or instru-
25 mentality.

1 SEC. 903. Unless otherwise specifically provided, the
2 maximum amount allowable during the current fiscal year
3 in accordance with section 16 of the Act of August 2, 1946
4 (60 Stat. 810), for the purchase of any passenger motor
5 vehicle (exclusive of buses, ambulances, law enforcement,
6 and undercover surveillance vehicles), is hereby fixed at
7 \$8,100 except station wagons for which the maximum
8 shall be \$9,100: *Provided*, That these limits may be ex-
9 ceeded by not to exceed \$3,700 for police-type vehicles,
10 and by not to exceed \$4,000 for special heavy-duty vehi-
11 cles: *Provided further*, That the limits set forth in this sec-
12 tion may not be exceeded by more than 5 percent for elec-
13 tric or hybrid vehicles purchased for demonstration under
14 the provisions of the Electric and Hybrid Vehicle Re-
15 search, Development, and Demonstration Act of 1976:
16 *Provided further*, That the limits set forth in this section
17 may be exceeded by the incremental cost of clean alter-
18 native fuels vehicles acquired pursuant to Public Law
19 101–549 over the cost of comparable conventionally fueled
20 vehicles.

21 SEC. 904. Appropriations of the executive depart-
22 ments and independent establishments for the current fis-
23 cal year available for expenses of travel, or for the ex-
24 penses of the activity concerned, are hereby made available

1 for quarters allowances and cost-of-living allowances, in
2 accordance with 5 U.S.C. 5922–5924.

3 SEC. 905. Unless otherwise specified during the cur-
4 rent fiscal year, no part of any appropriation contained
5 in this or any other Act shall be used to pay the compensa-
6 tion of any officer or employee of the Government of the
7 United States (including any agency the majority of the
8 stock of which is owned by the Government of the United
9 States) whose post of duty is in the continental United
10 States unless such person: (1) is a citizen of the United
11 States; (2) is a person in the service of the United States
12 on the date of the enactment of this Act who, being eligible
13 for citizenship, has filed a declaration of intention to be-
14 come a citizen of the United States prior to such date and
15 is actually residing in the United States; (3) is a person
16 who owes allegiance to the United States; (4) is an alien
17 from Cuba, Poland, South Vietnam, the countries of the
18 former Soviet Union, or the Baltic countries lawfully ad-
19 mitted to the United States for permanent residence; (5)
20 is a South Vietnamese, Cambodian, or Laotian refugee pa-
21 roled in the United States after January 1, 1975; or (6)
22 is a national of the People’s Republic of China who quali-
23 fies for adjustment of status pursuant to the Chinese Stu-
24 dent Protection Act of 1992: *Provided*, That for the pur-
25 pose of this section, an affidavit signed by any such person

1 shall be considered prima facie evidence that the require-
2 ments of this section with respect to his or her status have
3 been complied with: *Provided further*, That any person
4 making a false affidavit shall be guilty of a felony, and,
5 upon conviction, shall be fined no more than \$4,000 or
6 imprisoned for not more than 1 year, or both: *Provided*
7 *further*, That the above penal clause shall be in addition
8 to, and not in substitution for, any other provisions of ex-
9 isting law: *Provided further*, That any payment made to
10 any officer or employee contrary to the provisions of this
11 section shall be recoverable in action by the Federal Gov-
12 ernment. This section shall not apply to citizens of Ire-
13 land, Israel, or the Republic of the Philippines, or to na-
14 tionals of those countries allied with the United States in
15 a current defense effort, or to international broadcasters
16 employed by the United States Information Agency, or to
17 temporary employment of translators, or to temporary em-
18 ployment in the field service (not to exceed 60 days) as
19 a result of emergencies.

20 SEC. 906. Appropriations available to any depart-
21 ment or agency during the current fiscal year for nec-
22 essary expenses, including maintenance or operating ex-
23 penses, shall also be available for payment to the General
24 Services Administration for charges for space and services
25 and those expenses of renovation and alteration of build-

1 ings and facilities which constitute public improvements
2 performed in accordance with the Public Buildings Act of
3 1959 (73 Stat. 749), the Public Buildings Amendments
4 of 1972 (87 Stat. 216), or other applicable law.

5 SEC. 907. In addition to funds provided in this or
6 any other Act, all Federal agencies are authorized to re-
7 ceive and use funds resulting from the sale of materials,
8 including Federal records disposed of pursuant to a
9 records schedule recovered through recycling or waste pre-
10 vention programs. Such funds shall be available until ex-
11 pended for the following purposes:

12 (1) Acquisition, waste reduction and prevention,
13 and recycling programs as described in Executive
14 Order No. 13101 (September 14, 1998), including
15 any such programs adopted prior to the effective
16 date of the Executive order.

17 (2) Other Federal agency environmental man-
18 agement programs, including, but not limited to, the
19 development and implementation of hazardous waste
20 management and pollution prevention programs.

21 (3) Other employee programs as authorized by
22 law or as deemed appropriate by the head of the
23 Federal agency.

24 SEC. 908. Funds made available by this or any other
25 Act for administrative expenses in the current fiscal year

1 of the corporations and agencies subject to chapter 91 of
2 title 31, United States Code, shall be available, in addition
3 to objects for which such funds are otherwise available,
4 for rent in the District of Columbia; services in accordance
5 with 5 U.S.C. 3109; and the objects specified under this
6 head, all the provisions of which shall be applicable to the
7 expenditure of such funds unless otherwise specified in the
8 Act by which they are made available: *Provided*, That in
9 the event any functions budgeted as administrative ex-
10 penses are subsequently transferred to or paid from other
11 funds, the limitations on administrative expenses shall be
12 correspondingly reduced.

13 SEC. 909. No part of any appropriation for the cur-
14 rent fiscal year contained in this or any other Act shall
15 be paid to any person for the filling of any position for
16 which he or she has been nominated after the Senate has
17 voted not to approve the nomination of said person.

18 SEC. 910. No part of any appropriation contained in
19 this or any other Act shall be available for interagency
20 financing of boards (except Federal Executive Boards),
21 commissions, councils, committees, or similar groups
22 (whether or not they are interagency entities) which do
23 not have a prior and specific statutory approval to receive
24 financial support from more than one agency or instru-
25 mentality.

1 SEC. 911. Funds made available by this or any other
2 Act to the Postal Service Fund (39 U.S.C. 2003) shall
3 be available for employment of guards for all buildings and
4 areas owned or occupied by the Postal Service or under
5 the charge and control of the Postal Service. The Postal
6 Service may give such guards with respect to such prop-
7 erty, any of the powers of special policemen provided
8 under 40 U.S.C. 1315. The Postmaster General, or his
9 designee, may take any action that the Secretary of Home-
10 land Security may take under such section with respect
11 to that property.

12 SEC. 912. None of the funds made available pursuant
13 to the provisions of this Act shall be used to implement,
14 administer, or enforce any regulation which has been dis-
15 approved pursuant to a joint resolution duly adopted in
16 accordance with the applicable law of the United States.

17 SEC. 913. (a) Notwithstanding any other provision
18 of law, and except as otherwise provided in this section,
19 no part of any of the funds appropriated for fiscal year
20 2006, by this or any other Act, may be used to pay any
21 prevailing rate employee described in section
22 5342(a)(2)(A) of title 5, United States Code—

23 (1) during the period from the date of expira-
24 tion of the limitation imposed by the comparable sec-
25 tion for previous fiscal years until the normal effec-

1 tive date of the applicable wage survey adjustment
2 that is to take effect in fiscal year 2006, in an
3 amount that exceeds the rate payable for the appli-
4 cable grade and step of the applicable wage schedule
5 in accordance with such section; and

6 (2) during the period consisting of the remain-
7 der of fiscal year 2006, in an amount that exceeds,
8 as a result of a wage survey adjustment, the rate
9 payable under paragraph (1) by more than the sum
10 of—

11 (A) the percentage adjustment taking ef-
12 fect in fiscal year 2006 under section 5303 of
13 title 5, United States Code, in the rates of pay
14 under the General Schedule; and

15 (B) the difference between the overall aver-
16 age percentage of the locality-based com-
17 parability payments taking effect in fiscal year
18 2006 under section 5304 of such title (whether
19 by adjustment or otherwise), and the overall av-
20 erage percentage of such payments which was
21 effective in the previous fiscal year under such
22 section.

23 (b) Notwithstanding any other provision of law, no
24 prevailing rate employee described in subparagraph (B) or
25 (C) of section 5342(a)(2) of title 5, United States Code,

1 and no employee covered by section 5348 of such title,
2 may be paid during the periods for which subsection (a)
3 is in effect at a rate that exceeds the rates that would
4 be payable under subsection (a) were subsection (a) appli-
5 cable to such employee.

6 (c) For the purposes of this section, the rates payable
7 to an employee who is covered by this section and who
8 is paid from a schedule not in existence on September 30,
9 2005, shall be determined under regulations prescribed by
10 the Office of Personnel Management.

11 (d) Notwithstanding any other provision of law, rates
12 of premium pay for employees subject to this section may
13 not be changed from the rates in effect on September 30,
14 2005, except to the extent determined by the Office of
15 Personnel Management to be consistent with the purpose
16 of this section.

17 (e) This section shall apply with respect to pay for
18 service performed after September 30, 2005.

19 (f) For the purpose of administering any provision
20 of law (including any rule or regulation that provides pre-
21 mium pay, retirement, life insurance, or any other em-
22 ployee benefit) that requires any deduction or contribu-
23 tion, or that imposes any requirement or limitation on the
24 basis of a rate of salary or basic pay, the rate of salary

1 or basic pay payable after the application of this section
2 shall be treated as the rate of salary or basic pay.

3 (g) Nothing in this section shall be considered to per-
4 mit or require the payment to any employee covered by
5 this section at a rate in excess of the rate that would be
6 payable were this section not in effect.

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

12 SEC. 914. During the period in which the head of
13 any department or agency, or any other officer or civilian
14 employee of the Government appointed by the President
15 of the United States, holds office, no funds may be obli-
16 gated or expended in excess of \$5,000 to furnish or re-
17 decorate the office of such department head, agency head,
18 officer, or employee, or to purchase furniture or make im-
19 provements for any such office, unless advance notice of
20 such furnishing or redecoration is expressly approved by
21 the Committees on Appropriations. For the purposes of
22 this section, the term "office" shall include the entire suite
23 of offices assigned to the individual, as well as any other
24 space used primarily by the individual or the use of which
25 is directly controlled by the individual.

1 SEC. 915. Notwithstanding section 1346 of title 31,
2 United States Code, or section 910 of this Act, funds
3 made available for the current fiscal year by this or any
4 other Act shall be available for the interagency funding
5 of national security and emergency preparedness tele-
6 communications initiatives which benefit multiple Federal
7 departments, agencies, or entities, as provided by Execu-
8 tive Order No. 12472 (April 3, 1984).

9 SEC. 916. (a) None of the funds appropriated by this
10 or any other Act may be obligated or expended by any
11 Federal department, agency, or other instrumentality for
12 the salaries or expenses of any employee appointed to a
13 position of a confidential or policy-determining character
14 excepted from the competitive service pursuant to section
15 3302 of title 5, United States Code, without a certification
16 to the Office of Personnel Management from the head of
17 the Federal department, agency, or other instrumentality
18 employing the Schedule C appointee that the Schedule C
19 position was not created solely or primarily in order to
20 detail the employee to the White House.

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

24 (1) the Central Intelligence Agency;

25 (2) the National Security Agency;

1 (3) the Defense Intelligence Agency;

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

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

7 (6) any agency, office, or unit of the Army,
8 Navy, Air Force, and Marine Corps, the Department
9 of Homeland Security, the Federal Bureau of Inves-
10 tigation and the Drug Enforcement Administration
11 of the Department of Justice, the Department of
12 Transportation, the Department of the Treasury,
13 and the Department of Energy performing intel-
14 ligence functions; and

15 (7) the Director of National Intelligence or the
16 Office of the Director of National Intelligence.

17 SEC. 917. No department, agency, or instrumentality
18 of the United States receiving appropriated funds under
19 this or any other Act for the current fiscal year shall obli-
20 gate or expend any such funds, unless such department,
21 agency, or instrumentality has in place, and will continue
22 to administer in good faith, a written policy designed to
23 ensure that all of its workplaces are free from discrimina-
24 tion and sexual harassment and that all of its workplaces
25 are not in violation of title VII of the Civil Rights Act

1 of 1964, as amended, the Age Discrimination in Employ-
2 ment Act of 1967, and the Rehabilitation Act of 1973.

3 SEC. 918. No part of any appropriation contained in
4 this or any other Act shall be available for the payment
5 of the salary of any officer or employee of the Federal
6 Government, who—

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

20 (2) removes, suspends from duty without pay,
21 demotes, reduces in rank, seniority, status, pay, or
22 performance of efficiency rating, denies promotion
23 to, relocates, reassigns, transfers, disciplines, or dis-
24 criminatees in regard to any employment right, enti-
25 tlement, or benefit, or any term or condition of em-

1 ployment of, any other officer or employee of the
2 Federal Government, or attempts or threatens to
3 commit any of the foregoing actions with respect to
4 such other officer or employee, by reason of any
5 communication or contact of such other officer or
6 employee with any Member, committee, or sub-
7 committee of the Congress as described in paragraph
8 (1).

9 SEC. 919. (a) None of the funds made available in
10 this or any other Act may be obligated or expended for
11 any employee training that—

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

15 (2) contains elements likely to induce high lev-
16 els of emotional response or psychological stress in
17 some participants;

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

21 (4) contains any methods or content associated
22 with religious or quasi-religious belief systems or
23 “new age” belief systems as defined in Equal Em-
24 ployment Opportunity Commission Notice N-
25 915.022, dated September 2, 1988; or

1 (5) is offensive to, or designed to change, par-
2 ticipants' personal values or lifestyle outside the
3 workplace.

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

7 SEC. 920. No funds appropriated in this or any other
8 Act may be used to implement or enforce the agreements
9 in Standard Forms 312 and 4414 of the Government or
10 any other nondisclosure policy, form, or agreement if such
11 policy, form, or agreement does not contain the following
12 provisions: "These restrictions are consistent with and do
13 not supersede, conflict with, or otherwise alter the em-
14 ployee obligations, rights, or liabilities created by Execu-
15 tive Order No. 12958; section 7211 of title 5, United
16 States Code (governing disclosures to Congress); section
17 1034 of title 10, United States Code, as amended by the
18 Military Whistleblower Protection Act (governing dislo-
19 sure to Congress by members of the military); section
20 2302(b)(8) of title 5, United States Code, as amended by
21 the Whistleblower Protection Act (governing disclosures of
22 illegality, waste, fraud, abuse or public health or safety
23 threats); the Intelligence Identities Protection Act of 1982
24 (50 U.S.C. 421 et seq.) (governing disclosures that could
25 expose confidential Government agents); and the statutes

1 which protect against disclosure that may compromise the
2 national security, including sections 641, 793, 794, 798,
3 and 952 of title 18, United States Code, and section 4(b)
4 of the Subversive Activities Act of 1950 (50 U.S.C.
5 783(b)). The definitions, requirements, obligations, rights,
6 sanctions, and liabilities created by said Executive order
7 and listed statutes are incorporated into this agreement
8 and are controlling.”: *Provided*, That notwithstanding the
9 preceding paragraph, a nondisclosure policy form or agree-
10 ment that is to be executed by a person connected with
11 the conduct of an intelligence or intelligence-related activ-
12 ity, other than an employee or officer of the United States
13 Government, may contain provisions appropriate to the
14 particular activity for which such document is to be used.
15 Such form or agreement shall, at a minimum, require that
16 the person will not disclose any classified information re-
17 ceived in the course of such activity unless specifically au-
18 thorized to do so by the United States Government. Such
19 nondisclosure forms shall also make it clear that they do
20 not bar disclosures to Congress or to an authorized official
21 of an executive agency or the Department of Justice that
22 are essential to reporting a substantial violation of law.

23 SEC. 921. No part of any funds appropriated in this
24 or any other Act shall be used by an agency of the execu-
25 tive branch, other than for normal and recognized execu-

1 tive-legislative relationships, for publicity or propaganda
2 purposes, and for the preparation, distribution or use of
3 any kit, pamphlet, booklet, publication, radio, television or
4 film presentation designed to support or defeat legislation
5 pending before the Congress, except in presentation to the
6 Congress itself.

7 SEC. 922. None of the funds appropriated by this or
8 any other Act may be used by an agency to provide a Fed-
9 eral employee's home address to any labor organization
10 except when the employee has authorized such disclosure
11 or when such disclosure has been ordered by a court of
12 competent jurisdiction.

13 SEC. 923. None of the funds made available in this
14 Act or any other Act may be used to provide any non-
15 public information such as mailing or telephone lists to
16 any person or any organization outside of the Federal
17 Government without the approval of the Committees on
18 Appropriations.

19 SEC. 924. No part of any appropriation contained in
20 this or any other Act shall be used for publicity or propa-
21 ganda purposes within the United States not heretofore au-
22 thorized by the Congress.

23 SEC. 925. (a) In this section the term "agency"—
24 (1) means an Executive agency as defined
25 under section 105 of title 5, United States Code;

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

4 (3) shall not include the Government Account-
5 ability Office.

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

15 SEC. 926. Notwithstanding 31 U.S.C. 1346 and sec-
16 tion 910 of this Act, funds made available for the current
17 fiscal year by this or any other Act to any department
18 or agency, which is a member of the Joint Financial Man-
19 agement Improvement Program (JFMIP), shall be avail-
20 able to finance an appropriate share of JFMIP adminis-
21 trative costs, as determined by the JFMIP, but not to ex-
22 ceed a total of \$800,000 including the salary of the Execu-
23 tive Director and staff support.

24 SEC. 927. Notwithstanding 31 U.S.C. 1346 and sec-
25 tion 910 of this Act, the head of each Executive depart-

1 ment and agency is hereby authorized to transfer to or
2 reimburse “General Services Administration, Government-
3 wide Policy” with the approval of the Director of the Of-
4 fice of Management and Budget, funds made available for
5 the current fiscal year by this or any other Act, including
6 rebates from charge card and other contracts: *Provided*,
7 That these funds shall be administered by the Adminis-
8 trator of General Services to support Government-wide fi-
9 nancial, information technology, procurement, and other
10 management innovations, initiatives, and activities, as ap-
11 proved by the Director of the Office of Management and
12 Budget, in consultation with the appropriate interagency
13 groups designated by the Director (including the Chief Fi-
14 nancial Officers Council and the Joint Financial Manage-
15 ment Improvement Program for financial management
16 initiatives, the Chief Information Officers Council for in-
17 formation technology initiatives, the Chief Human Capital
18 Officers Council for human capital initiatives, and the
19 Federal Acquisition Council for procurement initiatives).
20 The total funds transferred or reimbursed shall not exceed
21 \$10,000,000. Such transfers or reimbursements may only
22 be made 15 days following notification of the Committees
23 on Appropriations by the Director of the Office of Man-
24 agement and Budget.

1 SEC. 928. None of the funds made available in this
2 or any other Act may be used by the Office of Personnel
3 Management or any other department or agency of the
4 Federal Government to prohibit any agency from using
5 appropriated funds as they see fit to independently con-
6 tract with private companies to provide online employment
7 applications and processing services.

8 SEC. 929. Notwithstanding any other provision of
9 law, a woman may breastfeed her child at any location
10 in a Federal building or on Federal property, if the woman
11 and her child are otherwise authorized to be present at
12 the location.

13 SEC. 930. Notwithstanding section 1346 of title 31,
14 United States Code, or section 910 of this Act, funds
15 made available for the current fiscal year by this or any
16 other Act shall be available for the interagency funding
17 of specific projects, workshops, studies, and similar efforts
18 to carry out the purposes of the National Science and
19 Technology Council (authorized by Executive Order No.
20 12881), which benefit multiple Federal departments,
21 agencies, or entities: *Provided*, That the Office of Manage-
22 ment and Budget shall provide a report describing the
23 budget of and resources connected with the National
24 Science and Technology Council to the Committees on Ap-
25 propriations, the House Committee on Science; and the

1 Senate Committee on Commerce, Science, and Transpor-
2 tation 90 days after enactment of this Act.

3 SEC. 931. Any request for proposals, solicitation,
4 grant application, form, notification, press release, or
5 other publications involving the distribution of Federal
6 funds shall indicate the agency providing the funds, the
7 Catalog of Federal Domestic Assistance Number, as appli-
8 cable, and the amount provided: *Provided*, That this provi-
9 sion shall apply to direct payments, formula funds, and
10 grants received by a State receiving Federal funds.

11 SEC. 932. Subsection (f) of section 403 of Public Law
12 103–356 (31 U.S.C. 501 note), as amended, is further
13 amended by striking “October 1, 2005” and inserting
14 “October 1, 2006”.

15 SEC. 933. (a) PROHIBITION OF FEDERAL AGENCY
16 MONITORING OF INDIVIDUALS’ INTERNET USE.—None of
17 the funds made available in this or any other Act may
18 be used by any Federal agency—

19 (1) to collect, review, or create any aggregation
20 of data, derived from any means, that includes any
21 personally identifiable information relating to an in-
22 dividual’s access to or use of any Federal Govern-
23 ment Internet site of the agency; or

24 (2) to enter into any agreement with a third
25 party (including another government agency) to col-

1 lect, review, or obtain any aggregation of data, de-
2 rived from any means, that includes any personally
3 identifiable information relating to an individual's
4 access to or use of any nongovernmental Internet
5 site.

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

8 (1) any record of aggregate data that does not
9 identify particular persons;

10 (2) any voluntary submission of personally iden-
11 tifiable information;

12 (3) any action taken for law enforcement, regu-
13 latory, or supervisory purposes, in accordance with
14 applicable law; or

15 (4) any action described in subsection (a)(1)
16 that is a system security action taken by the oper-
17 ator of an Internet site and is necessarily incident
18 to the rendition of the Internet site services or to the
19 protection of the rights or property of the provider
20 of the Internet site.

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

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

1 (2) The term “supervisory” means examina-
2 tions of the agency’s supervised institutions, includ-
3 ing assessing safety and soundness, overall financial
4 condition, management practices and policies and
5 compliance with applicable standards as provided in
6 law.

7 SEC. 934. (a) None of the funds appropriated by this
8 Act may be used to enter into or renew a contract which
9 includes a provision providing prescription drug coverage,
10 except where the contract also includes a provision for con-
11 traceptive coverage.

12 (b) Nothing in this section shall apply to a contract
13 with—

14 (1) any of the following religious plans:

15 (A) Personal Care’s HMO; and

16 (B) OSF HealthPlans, Inc.; and

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

20 (c) In implementing this section, any plan that enters
21 into or renews a contract under this section may not sub-
22 ject any individual to discrimination on the basis that the
23 individual refuses to prescribe or otherwise provide for
24 contraceptives because such activities would be contrary
25 to the individual’s religious beliefs or moral convictions.

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

3 SEC. 935. The Congress of the United States recog-
4 nizes the United States Anti-Doping Agency (USADA) as
5 the official anti-doping agency for Olympic, Pan Amer-
6 ican, and Paralympic sport in the United States.

7 SEC. 936. Notwithstanding any other provision of
8 law, funds appropriated for official travel by Federal de-
9 partments and agencies may be used by such departments
10 and agencies, if consistent with Office of Management and
11 Budget Circular A-126 regarding official travel for Gov-
12 ernment personnel, to participate in the fractional aircraft
13 ownership pilot program.

14 SEC. 937. None of the funds made available under
15 this or any other Act for fiscal year 2006 and each fiscal
16 year thereafter shall be expended for the purchase of a
17 product or service offered by Federal Prison Industries,
18 Inc., unless the agency making such purchase determines
19 that such offered product or service provides the best value
20 to the buying agency pursuant to governmentwide pro-
21 curement regulations, issued pursuant to section 25(c)(1)
22 of the Office of Federal Procurement Act (41 U.S.C.
23 421(c)(1)) that impose procedures, standards, and limita-
24 tions of section 2410n of title 10, United States Code.

1 SEC. 938. Notwithstanding any other provision of
2 law, none of the funds appropriated or made available
3 under this Act or any other appropriations Act may be
4 used to implement or enforce restrictions or limitations on
5 the Coast Guard Congressional Fellowship Program, or to
6 implement the proposed regulations of the Office of Per-
7 sonnel Management to add sections 300.311 through
8 300.316 to part 300 of title 5 of the Code of Federal Reg-
9 ulations, published in the Federal Register, volume 68,
10 number 174, on September 9, 2003 (relating to the detail
11 of executive branch employees to the legislative branch).

12 SEC. 939. Each Executive department and agency
13 shall evaluate the creditworthiness of an individual before
14 issuing the individual a government travel charge card.
15 The department or agency may not issue a government
16 travel charge card to an individual that either lacks a cred-
17 it history or is found to have an unsatisfactory credit his-
18 tory as a result of this evaluation: *Provided*, That this re-
19 striction shall not preclude issuance of a restricted-use
20 charge, debit, or stored value card made in accordance
21 with agency procedures to: (1) an individual with an un-
22 satisfactory credit history where such card is used to pay
23 travel expenses and the agency determines there is no suit-
24 able alternative payment mechanism available before
25 issuing the card; or (2) an individual who lacks a credit

1 history. Each Executive department and agency shall es-
2 tablish guidelines and procedures for disciplinary actions
3 to be taken against agency personnel for improper, fraud-
4 ulent, or abusive use of government charge cards, which
5 shall include appropriate disciplinary actions for use of
6 charge cards for purposes, and at establishments, that are
7 inconsistent with the official business of the Department
8 or agency or with applicable standards of conduct.

9 SEC. 940. Notwithstanding any other provision of
10 law, no executive branch agency shall purchase, construct,
11 and/or lease any additional facilities, except within or con-
12 tiguous to existing locations, to be used for the purpose
13 of conducting Federal law enforcement training without
14 advance approval of the Committees on Appropriations,
15 except that the Federal Law Enforcement Training Center
16 is authorized to obtain the temporary use of additional fa-
17 cilities by lease, contract, or other agreement for training
18 which cannot be accommodated in existing Center facili-
19 ties.

20 SEC. 941. From funds made available in this or any
21 other Act under the headings “The White House”, “Spe-
22 cial Assistance to the President and the Official Residence
23 of Residence of the Vice President”, “Council on Environ-
24 mental Quality and Office of Environmental Quality”,
25 “Office of Science and Technology Policy”, and “Office

1 of the United States Trade Representative”, the Director
2 of the Office of Management and Budget (or such other
3 officer as the President may designate in writing) may,
4 15 days after giving notice to the Committees on Appro-
5 priations of the Senate and the House of Representatives,
6 transfer not to exceed 10 percent of any such appropria-
7 tion to any other such appropriation, to be merged with
8 and available for the same time and for the same purposes
9 as the appropriation to which transferred: *Provided*, That
10 the amount of an appropriation shall not be increased by
11 more than 50 percent by such transfers: *Provided further*,
12 That no amount shall be transferred from the heading
13 “Special Assistance to the President and the Official Resi-
14 dence of the Vice President” without approval of the Vice
15 President.

16 SEC. 942. Section 4(b) of the Federal Activities In-
17 ventory Reform Act of 1998 (Public Law 105–270) is
18 amended by adding at the end the following new para-
19 graph:

20 “(5) Executive agencies with fewer than 100
21 full-time employees as of the first day of the fiscal
22 year. However, such an agency shall be subject to
23 section 2 to the extent it plans to conduct a public-
24 private competition for the performance of an activ-
25 ity that is not inherently governmental.”.

1 SEC. 943. (a) No funds shall be available for trans-
2 fers or reimbursements to the E-Government Initiatives
3 sponsored by the Office of Management and Budget
4 (OMB) prior to 15 days following submission of a report
5 to the Committees on Appropriations by the Director of
6 the Office of Management and Budget or receipt of ap-
7 proval to transfer funds by the House and Senate Commit-
8 tees on Appropriations.

9 (b) The report in (a) shall detail:

10 (1) the amount proposed for transfer for any
11 department and agency by program office, bureau,
12 or activity, as appropriate;

13 (2) the specific use of funds;

14 (3) the relevance of that use to that department
15 or agency and each bureau or office within, which is
16 contributing funds; and

17 (4) a description on any such activities for
18 which funds were appropriated that will not be im-
19 plemented or partially implemented by the depart-
20 ment or agency as a result of the transfer.

21 SEC. 944. (a) The adjustment in rates of basic pay
22 for employees under the statutory pay systems that takes
23 effect in fiscal year 2006 under sections 5303 and 5304
24 of title 5, United States Code, shall be an increase of 3.1
25 percent, and this adjustment shall apply to civilian em-

1 ployees in the Department of Defense and the Department
2 of Homeland Security and such adjustments shall be effec-
3 tive as of the first day of the first applicable pay period
4 beginning on or after January 1, 2006.

5 (b) Notwithstanding section 913 of this Act, the ad-
6 justment in rates of basic pay for the statutory pay sys-
7 tems that take place in fiscal year 2006 under sections
8 5344 and 5348 of title 5, United States Code, shall be
9 no less than the percentage in paragraph (a) as employees
10 in the same location whose rates of basic pay are adjusted
11 pursuant to the statutory pay systems under section 5303
12 and 5304 of title 5, United States Code. Prevailing rate
13 employees at locations where there are no employees whose
14 pay is increased pursuant to sections 5303 and 5304 of
15 title 5 and prevailing rate employees described in section
16 5343(a)(5) of title 5 shall be considered to be located in
17 the pay locality designated as “Rest of US” pursuant to
18 section 5304 of title 5 for purposes of this paragraph.

19 (c) Funds used to carry out this section shall be paid
20 from appropriations, which are made to each applicable
21 department or agency for salaries and expenses for fiscal
22 year 2006.

23 SEC. 945. (a) IN GENERAL.—Section 604(d) of the
24 Fair Credit Reporting Act (15 U.S.C. 1681b(d)) is
25 amended to read as follows:

1 “(d) LIMITATION ON USE OF CONSUMER REPORT.—

2 “(1) IN GENERAL.—A credit card issuer may
3 not use any negative information contained in a con-
4 sumer report to increase any annual percentage rate
5 applicable to a credit card account, or to remove or
6 increase any introductory annual percentage rate of
7 interest applicable to such account, for any reason
8 other than an action or omission of the card holder
9 that is directly related to such account.

10 “(2) NOTICE TO CONSUMER.—The limitation
11 under paragraph (1) on the use by a credit card
12 issuer of information in a consumer report shall be
13 clearly and conspicuously described to the consumer
14 by the credit card issuer in any disclosure or state-
15 ment required to be made to the consumer under
16 this title.”.

17 (b) TECHNICAL AND CONFORMING AMENDMENT.—
18 Section 604(a)(3)(F)(ii) of the Fair Credit Reporting Act
19 (15 U.S.C. 1681b(a)(3)(F)(ii)) is amended by inserting
20 “subject to subsection (d),” before “to review”.

21 SEC. 946. Unless otherwise authorized by existing
22 law, none of the funds provided in this Act or any other
23 Act may be used by an executive branch agency to produce
24 any prepackaged news story intended for broadcast or dis-
25 tribution in the United States, unless the story includes

1 a clear notification within the text or audio of the pre-
2 packaged news story that the prepackaged news story was
3 prepared or funded by that executive branch agency.

4 SEC. 947. None of the funds made available in this
5 Act may be used to administer, implement, or enforce the
6 amendment made to section 515.533 of title 31, Code of
7 Federal Regulations, that was published in the Federal
8 Register on February 25, 2005.

9 This Act may be cited as the “Transportation, Treas-
10 ury, Housing and Urban Development, the Judiciary, the
11 District of Columbia, and Independent Agencies Appro-
12 priations Act, 2006”.

Union Calendar No. 93

109TH CONGRESS
1ST Session

H. R. 3058

[Report No. 109-153]

A BILL

Making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

JUNE 24, 2005

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