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REQUESTS FOR FY 2005 BUDGET AMENDMENTS

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

REQUESTS FOR FY 2005 BUDGET AMENDMENTS FOR THE DEPARTMENTS OF AGRICULTURE, DEFENSE, EDUCATION, ENERGY, HOMELAND SECURITY, HOUSING AND URBAN DEVELOPMENT, THE INTERIOR, LABOR, AND THE TREASURY; THE CORPS OF ENGINEERS; THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION; AND THE SECURITIES AND EXCHANGE COMMISSION. IN ADDITION FY 2004 LANGUAGE PROPOSALS FOR THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES AND THE TREASURY AND FY 2005 BUDGET AMENDMENTS FOR THE LEGISLATIVE BRANCH ARE ENCLOSED



MAY 10, 2004.—Referred to the Committee on Appropriations and ordered to be printed

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THE WHITE HOUSE,
Washington, May 6, 2004.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I ask the Congress to consider the enclosed FY 2005 budget amendments for the Departments of Agriculture, Defense, Education, Energy, Homeland Security, Housing and Urban Development, the Interior, Labor, and the Treasury; the Corps of Engineers; the National Aeronautics and Space Administration; and the Securities and Exchange Commission. In addition, I ask the Congress to consider the enclosed FY 2004 language proposals for the Departments of Health and Human Services and the Treasury. Overall, the discretionary budget authority proposed in my FY 2005 Budget would not be increased by these requests.

This transmittal also contains FY 2005 budget amendments for the legislative branch. As a matter of comity, appropriations requests of the legislative branch are commonly transmitted without change.

The detail of these proposals are set forth in the enclosed letter from the Director of the Office of Management and Budget.

Sincerely,

GEORGE W. BUSH.

Enclosure.

[Estimate No. 4, 108th Cong., 2d Sess.]

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, May 6, 2004.

The PRESIDENT,
The White House.

Submitted for your consideration are requests for FY 2005 budget amendments for the Departments of Agriculture, Defense, Education, Energy, Homeland Security, Housing and Urban Development, the Interior, Labor, and the Treasury; the Corps of Engineers; the National Aeronautics and Space Administration; and the Securities and Exchange Commission. In addition, this transmittal includes 2004 proposals for the Departments of Health and Human Services and the Treasury. These proposals are largely technical in nature. Overall, discretionary budget authority would not be increased by these requests.

This transmittal also contains FY 2005 budget amendments for the Legislative Branch. As a matter of comity, appropriations requests for the Legislative Branch are commonly transmitted without change.

FY 2005 Amendments

- Language is proposed to reflect revised amounts designated for the National Guard and Reserve portion of several Army and Air Force Procurement accounts, as well as a proposal that would reinstate language supporting the Arrow Missile Defense Program.
- A request to provide $36.0 million for the Elk Hill School Lands Fund account in the Department of Energy for payment to the State of California is also included. The proposal is fully offset by proposed reductions to other Energy and Interior accounts.
- Language is proposed to reflect the intent of the Compact of Freely Associated States Act of 2003 (P.L. 108–188) that you signed into law on December 17, 2003, by making supplemental educational grants available to the Republic of Marshall Islands and the Federated States of Micronesia.
- Several other technical amendments to your FY 2005 Budget are included in this transmittal for the Departments of Agriculture, Homeland Security, Housing and Urban Development, the Interior, and the Treasury; the Corps of Engineers; the National Aeronautics and Space Administration; and the Securities and Exchange Commission, as well as Government-wide General Provisions, as described in detail in the enclosures.

FY 2004 Proposals

- Language is proposed to permit the liquidation of $0.7 million in obligations incurred prior to November 12, 2003, for the Ricky

Ray Hemophilia Relief Fund in the Department of Health and Human Services.

• Language is also proposed to permit agencies funded by the Transportation, Treasury, and Independent Agencies Appropriations Act of 2004 to convert work performed by Federal employees to performance by a qualified nonprofit agency for the blind or other severely disabled individuals.

• Language is proposed to ensure that the Secretary of the Department of Health and Human Services has the flexibility to use his transfer authorities to provide funding for the Strategic National Stockpile.

Legislative Branch

• This transmittal includes FY 2005 amendments for the Senate, Joint Items, Library of Congress, and the Congressional-Executive Commission on the People's Republic of China. In total, these amendments would increase net discretionary resources in your FY 2005 Budget by $2.7 million.

Recommendation

I have reviewed these proposals and am satisfied that they are necessary at this time. Therefore, I join the heads of the affected Departments and agencies in recommending that you transmit the proposals to Congress.

Sincerely,

JOSHUA B. BOLTEN,
Director.

Enclosures.

FY 2005 Budget Amendment

GOVERNMENT-WIDE GENERAL PROVISIONS SECTION 622

FY 2005 Budget Appendix Page: 11
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "610" and substitute *609.*)

This proposal would amend the pending appropriations language to reflect correctly the policy proposed in the FY 2005 Budget that would allow the Joint Financial Management Improvement Program to collect funds from its sponsoring agencies to fund its administrative costs.

The proposed budget totals would not be affected by this technical language amendment.

FY 2005 Budget Amendment

GOVERNMENT-WIDE GENERAL PROVISIONS

FY 2005 Budget Appendix Pages: 14–17
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, insert the following new provision after Sec. 638:)

Sec. 639. Section 4(b) of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note) is amended by adding at the end the following new paragraph:

"(5) Executive agencies with fewer than 100 full-time employees as of the first day of the fiscal year. However, such an agency shall be subject to section 2 to the extent it plans to conduct a public-private competition for the performance of an activity that is not inherently governmental.".

This provision would amend the Federal Activities Inventory Reform (FAIR) Act to exempt agencies with fewer than 100 full-time-equivalent employees from its requirements except where the agency planned to conduct a competition. The FAIR Act requires the head of each executive agency to submit annually to the Director of the Office of Management and Budget (OMB) a list of the commercial activities that the agency performs. OMB is required to review the list and consult with each agency regarding the content of the list.

The proposed budget totals would not be affected by this technical language amendment.

FY 2005 Budget Amendment

DEPARTMENT OF AGRICULTURE

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED SURVEYS AND PLANNING

FY 2005 Budget Appendix Page: 125
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "[$5,032,000]".)

This proposal would delete an extraneous number inadvertently included in the appropriations request and is necessary to reflect correctly the policy proposed in the FY 2005 Budget.

The proposed budget totals would not be affected by this technical language amendment.

FY 2005 Budget Amendment

DEPARTMENT OF AGRICULTURE

TITLE VII—GENERAL PROVISIONS, SECTION 715

FY 2005 Budget Appendix Page: 194
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading the last sentence of section 715 is amended by deleting the word, "Funds", and inserting the phrase, *$259,875,000 of the funds available,* and by deleting the phrase, "for fiscal year 2005".)

This proposal would amend the pending appropriations language to reflect clearly the savings assumed in the FY 2005 Budget generated by making the new FY 2005 funds plus the carryover funds permanently unavailable by canceling them.

The proposed budget totals would not be affected by this technical language amendment.

FY 2005 Budget Amendment

DEPARTMENT OF AGRICULTURE

TITLE VII—GENERAL PROVISIONS, SECTION 724

FY 2005 Budget Appendix Pages: 198–199
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading Section 724 is amended as follows:

(1) by inserting *or any other Act* after the phrase, "by this Act";

(2) in subsections (e), (g), (h), (i), and (j), by deleting "Funds" each place it occurs and by deleting the phrase, "for fiscal year 2005" each place it occurs;

(3) in subsection (e), by adding *$100,000,000 of the funds available* before the phrase, "under such section";

(4) in subsection (G), by adding *$150,000,000 of the funds available* before the phrase, "under such section";

(5) in subsection (h), by adding *$30,000,000 of the funds available* before the phrase, "under such section";

(6) in subsection (i), by adding *$40,000,000 of the funds available* before the phrase, "under such section"; and

(7) in subsection (j), by adding *$80,000,000 of the funds available* before the phrase, "under such section".)

This proposal would amend the pending appropriations language to reflect correctly the savings assumed in the FY 2005 Budget generated by making the new FY 2005 funds plus the carryover permanently unavailable by canceling them, where identified.

The proposed budget totals would not be affected by this technical language amendment.

FY 2005 Budget Amendment

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE

OFFICE OF THE INSPECTOR GENERAL

FY 2005 Budget Appendix Page: 259
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "$242,352,000" and substitute *$242,362,000*.)

This proposal is necessary to reflect correctly the Operation and Maintenance portion of the Office of the Inspector General account.

The proposed budget totals would not be affected by this technical amendment.

FY 2005 Budget Amendment

DEPARTMENT OF DEFENSE

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

FY 2005 Budget Appendix Pages: 276–277
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "$177,100,000" and substitute *$189,400,000.*)

This proposal is necessary to reflect correctly the amount designated for the Army National Guard and Army Reserve.

The proposed budget totals would not be affected by this technical amendment.

FY 2005 Budget Amendment

DEPARTMENT OF DEFENSE

PROCUREMENT

MISSILE PROCUREMENT, ARMY

FY 2005 Budget Appendix Page: 277
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "$65,700,000" and substitute *$29,400,000.*)

This proposal is necessary to reflect correctly the amount designated for the Army National Guard and Army Reserve.

The proposed budget totals would not be affected by this technical amendment.

FY 2005 Budget Amendment

DEPARTMENT OF DEFENSE

PROCUREMENT

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

FY 2005 Budget Appendix Page: 278
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "$11,800,000" and substitute *$13,700,000.*)

This proposal is necessary to reflect correctly the amount designated for the Army National Guard and Army Reserve.

The proposed budget totals would not be affected by this technical amendment.

FY 2005 Budget Amendment

DEPARTMENT OF DEFENSE

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

FY 2005 Budget Appendix Page: 279
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "$117,500,000" and substitute *$215,900,000.*)

This proposal is necessary to reflect correctly amount designated for the Army National Guard and Army Reserve.

The proposed budget totals would not be affected by this technical amendment.

FY 2005 Budget Amendment

DEPARTMENT OF DEFENSE

PROCUREMENT

OTHER PROCUREMENT, ARMY

FY 2005 Budget Appendix Page: 280
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "$807,700,000" and substitute *$656,800,000.*)

This proposal is necessary to reflect correctly the amount designated for the Army National Guard and Army Reserve.

The proposed budget totals would not be affected by this technical amendment.

FY 2005 Budget Amendment

DEPARTMENT OF DEFENSE

PROCUREMENT

AIRCRAFT PROCUREMENT, AIR FORCE

FY 2005 Budget Appendix Page: 286
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "$314,362,000" and substitute *$259,200,000.*)

This proposal is necessary to reflect correctly amount designated for the Air Force National Guard and Air Force Reserve.

The proposed budget totals would not be affected by this technical amendment.

FY 2005 Budget Amendment

DEPARTMENT OF DEFENSE

PROCUREMENT

PROCUREMENT OF AMMUNITION, AIR FORCE

FY 2005 Budget Appendix Page: 287
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "$150,301,000" and substitute *$150,500,000*.)

This proposal is necessary to reflect correctly the amount designed by the Air Force National Guard and Air Force Reserve.

The proposed budget totals would not be affected by this technical amendment.

FY 2005 Budget Amendment

DEPARTMENT OF DEFENSE

PROCUREMENT

OTHER PROCUREMENT, AIR FORCE

FY 2005 Budget Appendix Page: 288
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "$185,780,000" and substitute *$188,800,000*.)

This proposal is necessary to reflect correctly the amount designated for the Air Force National Guard and Air Force Reserve.

The proposed budget totals would not be affected by this technical amendment.

FY 2005 Budget Amendment

DEPARTMENT OF DEFENSE

GENERAL PROVISIONS, DEPARTMENT OF DEFENSE

FY 2005 Budget Appendix Pages: 331–336
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, immediately after "[Sec. 8095" and before the period, insert closing bracket and new section number *8052*. In the first sentence bracket "$144,803,000" and insert *$87,290,000*; bracket "made" between "be" and "available"; and bracket": Provided, That of this amount, $80,000,000 shall be available for the purpose of" and insert*, of which $25,000,000 shall be for*. In the last sentence immediately following "in this Act." delete the closing bracket. Renumber all subsequent sections under the above heading.)

This proposal would reinstate language supporting the Arrow Missile Defense Program and update funding levels consistent with the FY 2005 Budget. Without this change, funds could be made available to produce missile components and missiles to meet Israel's defense requirements consistent with the laws of the United States and Israel.

The proposed budget totals would not be affected by this technical amendment.

FY 2005 Budget Amendment

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

NAVAL PETROLEUM AND OIL SHALE RESERVES

FY 2005 Budget Appendix Page: 396
FY 2005 Pending Request: $20,000,000
Proposed Amendment: −$2,000,000
Revised Request: $18,000,000

This proposal would decrease the FY 2005 request for Naval Petroleum and Oil Shale Reserves (NPR) by $2 million. Sufficient funding will be available for NPR from prior year unobligated balances, now projected to be carried forward into FY 2005. The requested FY 2005 reduction would be used to offset an increase to the Elk Hills School Lands Fund account, proposed in an accompanying amendment.

This amendment would not affect FY 2005 outlays.

FY 2005 Budget Amendment

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ELK HILLS SCHOOL LANDS FUND

FY 2005 Budget Appendix Page: 402
FY 2005 Pending Request: —
Proposed Amendment: $36,000,000
Revised Request: $36,000,000

(In the appropriations language under the above heading, insert closing bracket after "1996," insert after such bracket the following: *For payments* and delete the final bracket.)

This proposal would provide $36 million to the Elk Hills School Lands Fund account. Subtitle B of Public Law 104–106 required the Department of Energy to sell the Government's interest in Naval Petroleum Reserve No. 1 (Elk Hills) pursuant to the terms of the Act. The Settlement Agreement with the State of California calls for payments to the State, subject to appropriations, totaling nine percent of the net proceeds of the sale. To date, $216 million has been appropriated for these payments.

This increase in funding is fully offset by proposed reductions to the Department of Energy's Naval Petroleum and Oil Shale Reserves account (−$2 million) and to Department of the Interior's Water and Related Resources account (−$34 million). The reductions are proposed in accompanying amendments.

This amendment would increase FY 2005 outlays by $36 million.

FY 2005 Budget Amendment

DEPARTMENT OF HOMELAND SECURITY

TRANSPORTATION SECURITY ADMINISTRATION

TRANSPORTATION SECURITY

FY 2005 Budget Appendix Page: 484
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, immediately after the third proviso, insert the following new proviso:)

Provided further, That fees authorized by 49 U.S.C. 44940(a)(2) shall be collected in an amount not less than $750,000,000, notwithstanding subsection (a)(2)(B)(i): Provided further, That such amount shall be available within the total of amounts provided under this heading:

This proposal clarifies the Administration's intent to collect $750 million in air carrier fees as authorized under the Aviation and Transportation Security Act (ATSA), a fee level which is also the collection assumption of the FY 2005 Budget. Under ATSA, fee levels are set at the amount paid in calendar year 2000 by air carriers for screening passengers and property, as determined by the Transportation Security Administration (TSA). The TSA in 2002 determined that those costs totaled at least $750 million, based on industry information offered prior to 9/11, during the consideration of ATSA, as well as carrier-specific cost information submitted after enactment of ATSA. The additional language requires the TSA to collect this assumed fee level during fiscal year 2005, ensuring that the full amount is available to support TSA security activities.

The proposed budget totals would not be affected by this technical language amendment.

FY 2005 Budget Amendment

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT SALARIES AND EXPENSES

FY 2005 Budget Appendix Pages: 557–558
FY 2005 Budget Pending Request: Legislative proposal

The Administration continues to support the legislative proposal in the FY 2005 Budget that would transfer all resources available to the Office of Federal Housing Enterprise Oversight (OFHEO) to a new strengthened housing Government-Sponsored Enterprise (GSE) regulator in the Department of the Treasury. Absent legislative change, however, OFHEO's expenses for regulating the GSEs Fannie Mae and Freddie Mac in 2005 are now anticipated to be $59,208,753, not $44,259,000 as indicated on page 557 of the Appendix. This increase reflects $10 million in additional funding to strengthen OFHEO's capacity and would support a one-time cost of $5 million to continue litigation and the on-going special investigations at Freddie Mac and Fannie Mae, which address unforeseen concerns about the GSEs' financial statements.

The $15 million would be derived from an equivalent increase in assessments on these GSEs.

FY 2005 Budget Amendment

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ADMINISTRATIVE PROVISIONS, SECTION 221

FY 2005 Budget Appendix Page: 563
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, insert at the end of the section the following new paragraph:)

Conforming amendment: In section 519(e) of the Act, strike "and" after "203(h)" and insert a comma; and insert "and 203(y)" after the phrase, "203(i),".

This proposal is necessary to reflect correctly the policy proposed in the FY 2005 Budget authorizing the Federal Housing Administration (FHA) Zero Downpayment mortgage insurance product to be used under FHA's General Risk Insurance program, as well as its Mutual Mortgage Insurance program.

The proposed budget totals would not be affected by this technical language amendment.

FY 2005 Budget Amendment

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

FY 2005 Budget Appendix Page: 588
FY 2005 Pending Request: $828,476,000
Proposed Amendment: −$34,000,000
Revised Request: $794,476,000

This proposal would cancel the request for the third and final $34 million payment for the costs associated with the settlement of litigation between the Department of the Interior (DOI) and plaintiffs in *Summer Peck Ranch, Inc. et al.* v. *Bureau of Reclamation, et al.* (Civ. No. F–91–048 OWW (E.D. Cal)).

Based on Section 206 of P.L. 108–137, the FY 2004 Energy and Water Development Appropriations Act, the Administration has determined that the Judgment Fund will be available to pay the remaining balance of settlement costs, provided DOI's Bureau of Reclamation first pays $5 million from its appropriations toward this settlement. As the Bureau has already paid $2 million of settlement costs from prior appropriations, the Administration will allocate an additional $3 million of appropriated Bureau of Reclamation funds toward the settlements. Therefore, the funds requested in the FY 2005 Budget are no longer necessary, as the settlement will be fully paid pursuant to Section 206.

The $34 million in FY 2005 savings resulting from this proposal would be used to offset an increase to the Department of Energy's Elk Hills School Lands Fund account, proposed in an accompanying amendment.

This amendment would decrease FY 2005 outlays by $34 million.

FY 2005 Budget Amendment

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

INDIAN LAND CONSOLIDATION

FY 2005 Budget Appendix Page: 644
FY 2005 Pending Request: $75,000,000
Proposed Amendment: −$5,000,000
Revised Request: $70,000,000

This proposal would decrease the pending request for the Indian Land Consolidation Program (ILCP) by $5 million. Sufficient funding will be available for ILCP from prior year unobligated balances, now projected to be carried forward into FY 2005. This FY 2005 reduction would be used to offset an increase for the Corps of Engieers—Civil Works Operation and Maintenance account, as proposed in an accompanying amendment.

This amendment would decrease FY 2005 outlays by $4.9 million.

FY 2005 Budget Amendment

DEPARTMENT OF LABOR

TITLE V—GENERAL PROVISIONS

FY 2005 Budget Appendix Page: 736
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, insert the following new appropriations language after Section 515:)

Sec. 516. To carry out section 105 of the Compact of Free Association Amendments Act of 2003 (P.L. 108–188), from amounts made available in this Act for part A of title I of the Elementary and Secondary Education Act of 1965; title I of the Workforce Investment Act of 1998, other than subtitle C of that Act; title II of the Workforce Investment Act of 1998; title I of the Carl D. Perkins Vocational and Technical Education Act of 1998; the Head Start Act; and subpart 3 of part A, and part C, of title IV of the Higher Education Act of 1965, an amount equal to amounts made available in Division E of the Consolidated Appropriations Act, 2004 (P.L. 108–199) for the Republic of the Marshall Islands and the Federated States of Micronesia shall be transferred to "School Improvement Programs, Department of Education" to carry out the Supplemental Education Grants program: Provided, That within 90 days of enactment of this Act, such amounts shall be transferred to the Secretary of the Interior for disbursement to the Republic of Marshall Islands and the Federated States of Micronesia.

This proposal would carry out a provision of the Compact of Free Association Amendments Act of 2003 (P.L. 108–188, the "Compact Act"), which was signed into law by the President on December 17, 2003, by making supplemental education grants available to the Republic of the Marshall Islands (RMI) and the Federated States of Micronesia (FSM). The Compact Act, among other things, made FMI and FSM ineligible, beginning in FY 2005, for the following programs previously funded by the Department of Labor, Health and Human Services, and Education:

- Title I Grants to Local Educational Agencies;
- Adult, Dislocated, Youth Workforce Investment Act programs;
- Adult Basic and Literacy Education State Grants;
- Vocational Education State Grants;
- Federal Supplemental Educational Opportunities Grants;
- Federal Work-Study; and
- Head Start.

In lieu of the Freely Associated States' eligibility for these programs, the Compact Act authorized a separate appropriation for supplemental education grants for RMI and FSM. Instead of appropriating funds directly under that authorization, this proposed general provision, to be included in the FY 2005 appropriations bill, would transfer amounts equal to the amounts made available in the Consolidated Appropriations Act, 2004 (P.L. 108–199) for RMI and FSM for the terminated grants to a new Supplemental Education Grants program under the Department of Education's School Improvement Program account. The proposal would also transfer

those amounts from the Department of Education to the Secretary of the Interior within 90 days of enactment for disbursement to the Freely Associated States.

The proposed budget totals would not be affected by this amendment.

FY 2005 Budget Amendment

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

FY 2005 Budget Appendix Page: 827
FY 2005 Pending Request: $185,041,000
Proposed Amendment: Language
Revised Request: $185,041,000

(In the appropriations language under the above heading, delete the first proviso and delete *"further"* in the second proviso.)

This proposal would amend the pending appropriations language to eliminate the staffing and funding floor for the Office of Foreign Assets Control. The President seeks full discretion in allocating Departmental Office resources in the critical effort to disrupt terrorist financing.

The proposed budget totals would not be affected by this amendment.

FY 2005 Budget Amendment

CORPS OF ENGINEERS—CIVIL WORKS

OPERATION AND MAINTENANCE

FY 2005 Budget Appendix Page: 909
FY 2005 Pending Request: $1,926,000,000
Proposed Amendment: $5,000,000 (net)
Revised Request: $1,931,000,000

This proposal would provide a total increase of $8 million for operation and maintenance to support navigation on the Ouachita and Black Rivers project in Arkansas and Louisiana. This increase is fully offset by reallocating funds within this Operation and Maintenance account (−$3 million) and by a proposed reduction to the Department of the Interior's Indian Land Consolidation account (−$5 million), as reflected in an accompanying proposal.

The Ouachita and Black Rivers project handles over one million tons of commercial cargo annually. Investments currently being made by non-Federal interests are expected to result in a near-term increase in tonnage. The FY 2005 Budget for the civil works program proposed $1.974 million to support recreation on this project, but did not propose navigation funding. The total request for the project, including the increase proposed in this amendment for navigation funding, is now $9.974 million.

The proposed $3 million reallocation within this Operation and Maintenance account would be derived by a decrease in maintenance for recreation (−$1 million) and bank erosion control (−$2 million) from the J. Bennett Johnston Waterway project in Louisiana. These activities have a lower priority for implementation in FY 2005 and, therefore, would be deferred.

This amendment would increase FY 2005 outlays by $4.5 million.

FY 2005 Budget Amendment

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION, SCIENCE, AND AERONAUTICS

FY 2005 Budget Appendix Page: 1043
FY 2005 Pending Request: $7,690,000,000
Proposed Amendment: $70,000,000
Revised Request: $7,760,000,000

This proposal would increase the pending request by $80 million to reflect the decision to move NASA's new lunar exploration program to the Exploration, Science, and Aeronautics account from the Exploration Capabilities account, as shown in an accompanying amendment.

Taken together with the accompanying amendment, the proposed budget totals would not be affected.

FY 2005 Budget Amendment

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION CAPABILITIES

FY 2005 Budget Appendix Page: 1045
FY 2005 Pending Request: $8,526,400,000
Proposed Amendment: −$70,000,000
Revised Request: $8,456,400,000

This proposal would decrease the pending request by $70 million to reflect the decision to move NASA's new lunar exploration program from the Exploration Capabilities account to the Exploration, Science, and Aeronautics account, as shown in an accompanying amendment.

Taken together with the accompanying amendment, the proposed budget totals would not be affected.

FY 2005 Budget Amendment

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

FY 2005 Budget Appendix Page: 1181
FY 2005 Pending Request: $893,000,000
Proposed Amendment: Language
Revised Request: $893,000,000

(In the appropriations language under the above heading, immediately after the first occurrence of "$893,000,000", insert *, to remain available until expended.*)

This proposal would correct the pending request to permit all the resources to have the same period of availability.

The proposed budget totals would not be affected by this technical amendment.

FY 2004 Proposal

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES

RICKY RAY HEMOPHILIA RELIEF FUND

To liquidate obligations incurred prior to November 12, 2003, $700,000, to remain available until expended.

This request would provide $700,000 to the Ricky Ray Hemophilia Relief Fund, authorized under P.L. 105–369. These funds would be used to liquidate legitimate obligations for the remaining 14 approved compassionate payments to eligible claimants, who contracted HIV from an anti-hemophiliac factor between July 1982 and December 1987, as well as affected family members.

All resources were obligated by the statutory expiration date of November 12, 2003; however, $700,000 remains obligated but not yet disbursed. An additional $750,000 was disbursed after the Fund expired due to a misinterpretation of the authorizing statute. Disbursements made after November 12, 2003, but prior to enactment of this provision will be subject to the reporting requirements of Chapter 13 of Title 31, United States Code.

FY 2004 Proposal

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Effective upon the enactment of the Project BioShield Act of 2004, funds appropriated for the Strategic National Stockpile under the heading, "Public Health Programs," in the Department of Homeland Security Appropriations Act, 2004 (Public Law 108–90), shall be transferred to the heading, "Public Health and Social Services Emergency Fund," in the Department of Health and Human Services Appropriations Act, 2004 (Division E, Public Law 108–199): Provided, That at the discretion of the Secretary of Health and Human Services, amounts earmarked under this heading may be transferred to the Strategic National Stockpile, subject to normal reprogramming procedures: Provided further, That section 207 of such Act shall apply to such funds.

The purpose of this language is to ensure that once the Project BioShield Act has been enacted, thereby transferring the Strategic National Stockpile from the Department of Homeland Security to the Department of Health and Human Services (HHS), the HHS Secretary has the flexibility to use his transfer authorities to provide funding for the Strategic National Stockpile if necessary, despite the fact that those funds were appropriated in the FY 2004 Department of Homeland Security Appropriations Act.

This flexibility may be necessary to address the continuing and emerging demands for medical countermeasures and other supplies necessary to respond to acts of terrorism and other public health emergencies, such as anthrax and pandemic influenza. Funding for the Strategic National Stockpile, while they will become part of the Public Health and Social Services Emergency Fund, will remain specifically for the Stockpile, and will also continue to remain available until expended.

FY 2004 Proposal

DEPARTMENT OF THE TREASURY

INTERNAL REVENUE SERVICE

(a) Section 647(a) of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (Division F, Public Law 108–199), shall not apply to a commercial or industrial type function that (1) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act 941 U.S.C. 47); or (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act.

(b) Subsection (a) shall be deemed to be effective on January 23, 2004.

This proposal would permit agencies funded by the FY 2004 Transportation, Treasury, and Independent Agencies Appropriations Act, P.L. 108–199, to convert work performed by Federal employees to performance by a qualified nonprofit agency for the blind or by a nonprofit agency for other severely disabled individuals in accordance with the Javits-Wagner-O'Day Act, 41 U.S.C. 47.

Under the proposal, which would be retroactive to January 23, 2004, conversion of work to these entities would not be subject to the public-private competition requirements of section 647(a) of the FY 2004 Transportation, Treasury, and Independent Agencies Appropriations Act. Congress provided a similar exception to competition in the Defense and Interior Appropriations Acts for FY 2004. Providing this exception to section 647(a) will facilitate agencies doing business with entities that employ individuals who are blind or severely disabled.

FY 2005 Budget Amendment

LEGISLATIVE BRANCH

SENATE

SALARIES, OFFICERS AND EMPLOYEES

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $134,270,000
Proposed Amendment: $170,000
Revised Request: $134,440,000

This proposal would increase the pending request by $170,000 for the Salaries, Officers and Employees of the Senate account, as well as subaccounts Office of the Vice President, Office of the President Pro Tempore, Office of the President Pro Tempore Emeritus, Offices of the Majority and Minority Leaders, Offices of the Majority and Minority Whips, Committee on Appropriations, Conference Committees, Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, Policy Committees, Office of the Chaplain, Office of the Secretary, Office of the Sergeant at Arms and Doorkeeper, Offices of the Secretaries for the Majority and Minority, and Agency Contributions and Related Expenses.

FY 2005 outlays would increase by the same amount. The details of the subaccount proposals follow.

SALARIES, OFFICERS AND EMPLOYEES, OFFICE OF THE VICE PRESIDENT

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $2,106,000
Proposed Amendment: $2,000
Revised Request: $2,108,000

SALARIES, OFFICERS AND EMPLOYEES, OFFICE OF THE PRESIDENT PRO TEMPORE

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $560,000
Proposed Amendment: $1,000
Revised Request: $561,000

SALARIES, OFFICERS AND EMPLOYEES, OFFICE OF THE PRESIDENT PRO TEMPORE EMERITUS

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $162,000
Proposed Amendment: $1,000
Revised Request: $163,000

SALARIES, OFFICERS AND EMPLOYEES, OFFICES OF THE MAJORITY AND MINORITY LEADERS

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $3,404,000
Proposed Amendment: $4,000
Revised Request: $3,408,000

SALARIES, OFFICERS AND EMPLOYEES, OFFICES OF THE MAJORITY AND MINORITY WHIPS

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $2,552,000
Proposed Amendment: $4,000
Revised Request: $2,556,000

SALARIES, OFFICERS AND EMPLOYEES, COMMITTEE ON APPROPRIATIONS

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $13,289,000
Proposed Amendment: $12,000
Revised Request: $13,301,000

SALARIES, OFFICERS AND EMPLOYEES, CONFERENCE COMMITTEES

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $2,820,000
Proposed Amendment: $6,000
Revised Request: $2,826,000

(In the appropriations language under the above heading, delete "$1,410,000" and substitute *$1,413,000*.)

SALARIES, OFFICERS AND EMPLOYEES, OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $698,000
Proposed Amendment: $4,000
Revised Request: $702,000

SALARIES, OFFICERS AND EMPLOYEES, POLICY COMMITTEES

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $2,944,000
Proposed Amendment: $2,000
Revised Request: $2,946,000

(In the appropriations language under the above heading, delete "$1,472,000" and substitute *$1,473,000*.)

SALARIES, OFFICERS AND EMPLOYEES, OFFICE OF THE CHAPLAIN

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $339,000
Proposed Amendment: $2,000
Revised Request: $341,000

SALARIES, OFFICERS AND EMPLOYEES, OFFICE OF THE SECRETARY

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $19,570,000
Proposed Amendment: $16,000
Revised Request: $19,586,000

SALARIES, OFFICERS AND EMPLOYEES, OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $50,564,000
Proposed Amendment: $71,000
Revised Request: $50,635,000

SALARIES, OFFICERS AND EMPLOYEES, OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $1,526,00
Proposed Amendment: $2,000
Revised Request: $1,528,000

SALARIES, OFFICERS AND EMPLOYEES, AGENCY CONTRIBUTIONS AND RELATED EXPENSES

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $33,736,000
Proposed Amendment: $43,000
Revised Request: $33,779,000

FY 2005 Budget Amendment

LEGISLATIVE BRANCH

SENATE

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $5,146,000
Proposed Amendment: $6,000
Revised Request: $5,152,000

This proposal would increase the pending request by $6,000 for the Office of the Legislative Counsel of the Senate. FY 2005 outlays would increase by the same amount.

FY 2005 Budget Amendment

LEGISLATIVE BRANCH

SENATE

OFFICE OF SENATE LEGAL COUNSEL

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $1,264,000
Proposed Amendment: $1,000
Revised Request: $1,265,000

This proposal would increase the pending request by $1,000 for the Office of Senate Legal Counsel. FY 2005 outlays would increase by the same amount.

FY 2005 Budget Amendment

LEGISLATIVE BRANCH

SENATE

CONTINGENT EXPENSES OF THE SENATE, INQUIRIES AND INVESTIGATIONS

FY 2005 Budget Appendix Page: 19
FY 2005 Pending Request: $120,433,000
Proposed Amendment: $2,000
Revised Request: $120,435,000

This proposal would increase the pending request by $2,000 for Inquiries and Investigations. FY 2005 outlays would increase by the same amount.

FY 2005 Budget Amendment

LEGISLATIVE BRANCH

SENATE

CONTINGENT EXPENSES OF THE SENATE, SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

FY 2005 Budget Appendix Page: 20
FY 2005 Pending Request: $339,467,000
Proposed Amendment: $1,505,000
Revised Request: $340,972,000

This proposal would increase the pending request by $1,505,000 for the Senators' Office Personnel and Office Expense Account. FY 2005 outlays would increase by the same amount.

FY 2005 Budget Amendment

LEGISLATIVE BRANCH

JOINT ITEMS

JOINT ECONOMIC COMMITTEE

FY 2005 Budget Appendix Page: 24
FY 2005 Pending Request: $4,135,000
Proposed Amendment: $4,000
Revised Request: $4,139,000

This proposal would increase the pending request by $4,000 for the Joint Economic Committee. FY 2005 outlays would increase by the same amount.

FY 2005 Budget Amendment

LEGISLATIVE BRANCH

JOINT ITEMS

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

FY 2005 Budget Appendix Page: 24
FY 2005 Pending Request: $3,838,500
Proposed Amendment: $5,000
Revised Request: $3,843,500

This proposal would increase the pending request by $5,000 for the Capitol Guide Service and Special Services Office. FY 2005 outlays would increase by the same amount.

FY 2005 Budget Amendment

LEGISLATIVE BRANCH

LIBRARY OF CONGRESS

COPYRIGHT OFFICE, SALARIES AND EXPENSES

FY 2005 Budget Appendix Page: 36
FY 2005 Pending Request: $53,518,000 (gross)
Proposed Amendment: Language
Revised Request: $53,518,000 (gross)

(In the appropriations language under the above heading, delete "$27,653,000" and substitute *$26,843,000* and delete "$34,149,000" and substitute *$33,339,000.*)

This proposal would amend the pending appropriations language to reflect a reduction to the amount to be derived from offsetting collections but would not alter the total gross budget amount requested for FY 2005.

FY 2005 Budget Amendment

LEGISLATIVE BRANCH

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE, SALARIES AND EXPENSES

FY 2005 Budget Appendix Page: 37
FY 2005 Pending Request: $100,734,000
Proposed Amendment: $200,000
Revised Request: $100,934,000

This proposal would increase the pending request by $200,000 to enable the Congressional Research Service to acquire all necessary research materials projected for FY 2005. FY 2005 outlays would increase by the same amount.

FY 2005 Budget Amendment

LEGISLATIVE BRANCH

LEGISLATIVE BRANCH BOARDS AND COMMISSIONS

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA, SALARIES AND EXPENSES

FY 2005 Budget Appendix Page: 49
FY 2005 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, bracket the proviso.)

This proposal would delete a provision inadvertently included and would, therefore, reflect correctly the pending request for FY 2005. The proposed budget totals would not be affected by this technical language amendment.

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