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SENATE

{ REPORT
108-33

MAKING SUPPLEMENTAL APPROPRIATIONS TO SUPPORT DEPARTMENT OF DEFENSE OPERATIONS IN IRAQ, DEPARTMENT OF HOMELAND SECURITY, AND RELATED EFFORTS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2003, AND FOR OTHER PURPOSES

APRIL 1, 2003.—Ordered to be printed

Mr. STEVENS, from the Committee on Appropriations,
submitted the following

REPORT

[To accompany S. 762]

The Committee on Appropriations reports the bill (S. 762) making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and related efforts for the fiscal year ending September 30, 2003, and for other purposes, reports favorably thereon and recommends that the bill do pass.

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BACKGROUND

PURPOSE OF THE BILL

This bill makes appropriations for the military functions of the Department of Defense as it prosecutes the war in Iraq, for domestic security functions of the Department of Homeland Security, for foreign assistance to Jordan, Israel, and Turkey, and relief and reconstruction efforts in Iraq, and to continue to anti-terrorism efforts around the world. This bill also makes certain technical and conforming corrections to Public Law 108-7.

HEARINGS

The Committee held a hearing on March 27, 2003 and heard testimony from Secretary of Defense Donald Rumsfeld and Secretary of Homeland Security Tom Ridge and other representatives from the Department of Defense.

SUMMARY OF THE BILL

On March 24, 2003, the President submitted a request for \$74,725,028,000 in new budget authority for programs under the Department of Defense, Department of Homeland Security, Department of Justice, Department of State, Department of Transportation, Department of the Treasury, and the Legislative Branch. The Committee recommends \$76,711,609,000 in new budget authority.

COMMITTEE PRIORITIES

The primary goals of this bill are to fund the war on terrorism, provide international relief and reconstruction assistance, and ensure the protection and security of American citizens here at home. To achieve the first goal, the Committee is providing \$62,559,000,000 to prosecute the military operations in Iraq, including replenishing munitions that are likely to be expended, maintaining critical manning levels, and maintaining air, ground, and sea operations. To achieve the second goal, the Committee is providing \$7,850,820,000 to assist refugees or internally displaced persons in Iraq, support key coalition partners in the conflict with Iraq, and to support reconstruction of health services, sanitation, transportation, and telecommunications in Iraq. To ensure the third goal, the Committee is providing \$4,676,000,000 to assist State and local governments in terrorism preparedness, provide increased border and maritime security, and protect critical infrastructure.

TITLE I—SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, AND
RELATED AGENCIES

AGRICULTURAL PROGRAMS

AGRICULTURAL RESEARCH SERVICE

BUILDINGS AND FACILITIES

2003 appropriation to date	\$119,480,000
2003 supplemental estimate	
Committee recommendation	98,000,000

The Committee recommendation includes \$98,000,000 for further construction funds for the modernization of the Agricultural Research Service and Animal and Plant Health Inspection Service facilities near Ames, Iowa.

CHAPTER 2

SUBCOMMITTEE ON COMMERCE, JUSTICE, AND STATE, THE
JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

COUNTERTERRORISM FUND

2003 appropriation to date	\$993,000
2003 supplemental estimate	500,000,000
Committee recommendation	500,000,000

The Committee recommends \$500,000,000 for the Counterterrorism Fund to cover extraordinary costs associated with a terrorist threat or incident. This recommendation is identical to the request and, when combined with current unobligated balances and recoveries of \$50,274,225, provides a total funding level of \$550,274,225 for terrorism response. These funds are a down payment on fiscal year 2004 requirements.

The Counterterrorism Fund was established in the 1995 Supplemental Appropriations Act after the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, and is under the control and direction of the Attorney General. These funds may be used to reimburse any Department of Justice organization for the costs incurred from the reestablishment of an office or facility damaged or destroyed as a result of a domestic or international terrorist incident, and to cover extraordinary expenses necessary to

counter, investigate, or prosecute domestic or international acts of terrorism.

The Federal Bureau of Investigation [FBI] has temporarily reassigned 650 agents from other divisions to the Counterterrorism Division to address the new priorities of the Bureau. The Committee directs the FBI to immediately and permanently transfer those 650 agents to the Counterterrorism Division. Should additional personnel be required to meet the missions of the Counterterrorism [CT] or Counterintelligence [CI] Divisions, the Committee directs the FBI to transfer up to 2,118 personnel, including 824 agents and 1,294 support staff, to the CT or CI Divisions as needed, subject to the requirements of section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

2003 appropriation to date	\$3,797,413,000
2003 supplemental estimate	101,420,000
Committee recommendation	93,420,000

The Committee recommends \$93,420,000 for Diplomatic and Consular Programs for expenses associated with the United States' military campaign in Iraq. The recommendation is \$8,000,000 below the supplemental budget request. Of this amount, \$15,600,000 is for medical services, including emergency medical supplies, chemical and biological antidotes, anthrax and smallpox vaccines, white powder evaluations, and medical training. Also of this amount, \$10,000,000 is for worldwide security upgrades to: (1) increase the number of local guards; (2) procure chemical and biological countermeasures, including masks, suits, and detection equipment; (3) support requirements relating to intelligence; (4) increase temporary duty assignment teams to posts; (5) purchase armored vehicles; and (6) enhance the security of the Department's domestic facilities. Also of this amount, \$2,000,000 is for Consular Affairs requirements relating to American citizen services and \$30,020,000 is for Machine Readable Visa [MRV] fee shortfalls. Disruption of the border security program due to an MRV fee shortfall must be avoided at all costs. The recommendation therefore includes language providing for the automatic transfer of funding from the main Diplomatic and Consular Programs account to the account that funds the Border Security Program in the event that the MRV fee shortfall exceeds the "backfill funding" requested by the Department in this supplemental. Finally, within the total amount provided for Diplomatic and Consular Programs, \$17,900,000 shall be available only for initial and secondary stage setup and operating costs for re-opening the United States Embassy in Baghdad, Iraq, and \$17,900,000 shall only be available for diplomatic security programs associated with the re-opening of this post, including temporary duty staffing, physical security, technical security equipment, armored cars, and local guards.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

2003 appropriation to date	\$1,255,288,000
2003 supplemental estimate	20,000,000
Committee recommendation	82,000,000

The Committee recommends \$82,000,000 for the overseas construction account. The recommendation is \$62,000,000 above the supplemental budget request. Of this amount, \$20,000,000 is to provide safe, secure, and functional temporary facilities for 200 United States Government personnel and 300 Iraqi local hires in Baghdad, Iraq. The Department is directed to report to the Committees on Appropriations regarding the special security considerations and procedures associated with the hiring of Iraqi nationals to work in United States diplomatic facilities in Baghdad, Iraq. The Committee is aware that the Department of State has proposed a cost-sharing arrangement so that other foreign affairs agencies may contribute to the escalating cost of constructing and securing United States diplomatic facilities. The Committee expects that all agencies with personnel occupying facilities leased, acquired, or constructed by the Department of State in Iraq will begin compensating the Department of State, according to the terms of the cost-sharing arrangement, in fiscal year 2005.

Also, of the amount provided under this heading, \$10,000,000 is for the Department to provide security enhancements to non-official facilities frequented by United States citizens overseas, with particular emphasis on schools attended by the dependents of non-military United States Government personnel. The Committee is concerned by the more frequent targeting by terrorists of locations that are not official United States facilities, but are tied to the United States either symbolically or because of the activities they accommodate, so-called "soft targets". The recommendation is consistent with prior Committee direction that the Department formulate a strategy for addressing the growing threat to soft targets.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

2003 appropriation to date	\$6,458,000
2003 supplemental estimate	65,708,000
Committee recommendation	40,000,000

The Committee recommends \$40,000,000 for Emergencies in the Diplomatic and Consular Service. The recommendation is \$25,700,000 below the supplemental budget request. Funds made available under this heading will ensure that the Department of State is able to fund the transportation costs and other associated costs of evacuating United States Government employees, their families, and private American citizens and to provide additional services to American citizens abroad should the need arise. In addition, the Committee recommends language allowing the Department of State to be reimbursed by other agencies for costs associated with the evacuation of those agencies' personnel from diplomatic posts. This will ensure that funds available to the Department for evacuations are continually replenished without the need for additional supplemental funding.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

2003 appropriation to date	\$465,850,000
2003 supplemental estimate	30,500,000
Committee recommendation	62,000,000

The Committee recommends \$62,000,000 for the Broadcasting Board of Governors [BBG] to support the start-up costs of the Middle East Television Network [METN] and for the continuation of radio broadcasting to Iraq. The Committee strongly supports the Board's efforts to expand its outreach to audiences in the Middle East. There is prevalent satellite dish ownership in the Middle East, and BBG has identified television as a particularly effective means of communication with the people of this region. Public Law 108-7 provided \$2,500,000 in seed funding for the METN. The supplemental recommendation supports the full cost of the first year of this initiative.

CHAPTER 3

SUBCOMMITTEE ON DEFENSE

DEPARTMENT OF DEFENSE

2003 appropriation to date	\$364,611,334,000
2003 supplemental estimate	62,381,500,000
Committee recommendation	62,381,500,000

The Committee recommends \$62,381,500,000 for the Department of Defense, as requested. Funds are recommended for: the conduct of military operations related to Operation Iraqi Freedom, and continuing military operations related to Operation Enduring Freedom, Operation Noble Eagle and the Global War on Terrorism; pay and allowances for Reserve and National Guard personnel called to active duty; unforeseen military personnel costs; the procurement of munitions and weapons; critical command, control, communications, and intelligence support; and coalition support. Recommendations for specific classified programs are addressed in the classified annex to the Committee's report.

The Committee recommendation to fund the amount requested for defense requirements is made because of the importance that the Committee places on supporting our troops and their war fighting requirements.

MILITARY PERSONNEL

Personnel Support.—The Committee strongly supports the members of our Armed Services and their families. In particular, the Committee notes that those now deployed in current military operations, as well as the members of our National Guard and Reserve who have been called to active duty, have been activated frequently and for extended periods of time since September 11th. The Committee urges the Secretary of Defense to identify those hardships experienced by service members and their families and propose remedies to address those hardships. The Committee directs the

Secretary of Defense to provide a report to the Congressional Oversight Committees, no later than July 1, 2003, on how the Department can better support our deployed service members and their families.

MILITARY PERSONNEL, ARMY

2003 appropriation to date	\$26,855,017,000
2003 supplemental estimate	
Committee recommendation	7,724,500,000

The Committee recommends \$7,724,500,000 for Military Personnel, Army. The recommendation is greater than the request.

MILITARY PERSONNEL, NAVY

2003 appropriation to date	\$21,927,628,000
2003 supplemental estimate	
Committee recommendation	1,784,300,000

The Committee recommends \$1,784,300,000 for Military Personnel, Navy. The recommendation is greater than the request.

MILITARY PERSONNEL, MARINE CORPS

2003 appropriation to date	\$8,501,087,000
2003 supplemental estimate	
Committee recommendation	1,254,900,000

The Committee recommends \$1,254,900,000 for Military Personnel, Marine Corps. The recommendation is greater than the request.

MILITARY PERSONNEL, AIR FORCE

2003 appropriation to date	\$21,981,277,000
2003 supplemental estimate	
Committee recommendation	2,834,800,000

The Committee recommends \$2,834,800,000 for Military Personnel, Air Force. The recommendation is greater than the request.

RESERVE PERSONNEL, ARMY

2003 appropriation to date	\$3,374,355,000
2003 supplemental estimate	
Committee recommendation	6,000,000

The Committee recommends \$6,000,000 for Reserve Personnel, Army. The recommendation is greater than the request.

NATIONAL GUARD PERSONNEL, ARMY

2003 appropriation to date	\$5,114,588,000
2003 supplemental estimate	
Committee recommendation	110,000,000

The Committee recommends \$110,000,000 for National Guard Personnel, Army. The recommendation is greater than the request.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

2003 appropriation to date	\$23,992,082,000
2003 supplemental estimate	
Committee recommendation	16,142,500,000

The Committee recommends \$16,142,500,000 for Operation and Maintenance, Army. The recommendation is greater than the request.

Air Battle Captain.—The Committee is aware that the United States Military Academy and the University of North Dakota are discussing an initiative in which West Point cadets would receive introductory helicopter flight training at the University's Air Battle Captain program. The Committee has included a general provision that permits the Army to use funds available for Air Battle Captain training for this initiative during fiscal year 2003.

OPERATION AND MAINTENANCE, NAVY

2003 appropriation to date	\$29,331,526,000
2003 supplemental estimate	
Committee recommendation	5,296,600,000

The Committee recommends \$5,296,600,000 for Operation and Maintenance, Navy. The recommendation is greater than the request.

Classification of Vessels.—The American Bureau of Shipping has been expressly designated in 46 USC 3316(a) as the chosen instrument of the United States Government in classifying all vessels owned by the United States Government (including those leased or bareboat chartered) and in matters related to classification. Congress designated the American Bureau of Shipping for those purposes in furtherance of the national interest in a strong merchant marine and industry base, and the Committee expects all government agencies to comply with 46 USC 3316(a).

OPERATION AND MAINTENANCE, MARINE CORPS

2003 appropriation to date	\$3,585,759,000
2003 supplemental estimate	
Committee recommendation	1,752,700,000

The Committee recommends \$1,752,700,000 for Operation and Maintenance, Marine Corps. The recommendation is greater than the request.

OPERATION AND MAINTENANCE, AIR FORCE

2003 appropriation to date	\$27,339,533,000
2003 supplemental estimate	
Committee recommendation	7,209,200,000

The Committee recommends \$7,209,200,000 for Operation and Maintenance, Air Force. The recommendation is greater than the request.

Typhoon Pongsona Damage.—The Committee is aware of the extensive damage to Guam as a result of Typhoon Pongsona, and strongly encourages the Department of the Air Force to restore An-

person Air Force Base to full mission capability using funds provided in this Bill or other Acts.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

2003 appropriation to date	\$14,707,506,000
2003 supplemental estimate	1,400,000,000
Committee recommendation	4,007,700,000

The Committee recommends \$4,007,700,000 for Operation and Maintenance, Defense-Wide. The recommendation is greater than the request.

Aid to Civilians.—The Committee strongly expects the Department of Defense to work with the United States Agency for International Development and other appropriate entities to provide assistance to families of innocent Afghan and Iraqi civilians who suffer losses in the military operations.

OPERATION AND MAINTENANCE, NAVY RESERVE

2003 appropriation to date	\$1,236,809,000
2003 supplemental estimate	15,000,000
Committee recommendation	15,000,000

The Committee recommends \$15,000,000 for Operation and Maintenance, Navy Reserve. The recommendation is greater than the request.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

2003 appropriation to date	\$187,532,000
2003 supplemental estimate	50,000,000
Committee recommendation	50,000,000

The Committee recommends \$50,000,000 for Operation and Maintenance, Marine Corps Reserve. The recommendation is greater than the request.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

2003 appropriation to date	\$4,261,707,000
2003 supplemental estimate	88,400,000
Committee recommendation	88,400,000

The Committee recommends \$88,400,000 for Operation and Maintenance, Army National Guard. The recommendation is greater than the request.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

2003 appropriation to date	\$4,117,585,000
2003 supplemental estimate	20,000,000
Committee recommendation	20,000,000

The Committee recommends \$20,000,000 for Operation and Maintenance, Air National Guard. The recommendation is greater than the request.

NATURAL RESOURCES RISK REMEDIATION FUND

2003 appropriation to date	489,300,000
2003 supplemental estimate	\$489,300,000
Committee recommendation	489,300,000

The Committee recommends \$489,300,000 for the Natural Resources Risk Remediation Fund. The recommendation is identical to the request.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

2003 appropriation to date	\$2,285,574,000
2003 supplemental estimate	
Committee recommendation	4,100,000

The Committee recommends \$4,100,000 for Aircraft Procurement, Army. The recommendation is greater than the request.

MISSILE PROCUREMENT, ARMY

2003 appropriation to date	\$1,096,548,000
2003 supplemental estimate	
Committee recommendation	3,100,000

The Committee recommends \$3,100,000 for Missile Procurement, Army. The recommendation is greater than the request.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

2003 appropriation to date	\$2,266,508,000
2003 supplemental estimate	
Committee recommendation	53,300,000

The Committee recommends \$53,300,000 for Procurement of Weapons and Tracked Combat Vehicles, Army. The recommendation is greater than the request.

PROCUREMENT OF AMMUNITION, ARMY

2003 appropriation to date	\$1,253,099,000
2003 supplemental estimate	
Committee recommendation	447,500,000

The Committee recommends \$447,500,000 for Procurement of Ammunition, Army. The recommendation is greater than the request.

OTHER PROCUREMENT, ARMY

2003 appropriation to date	\$5,874,674,000
2003 supplemental estimate	
Committee recommendation	241,800,000

The Committee recommends \$241,800,000 for Other Procurement, Army. The recommendation is greater than the request.

OTHER PROCUREMENT, AIR FORCE

2003 appropriation to date	\$10,672,712,000
2003 supplemental estimate	
Committee recommendation	113,600,000

The Committee recommends \$113,600,000 for Other Procurement, Air Force. The recommendation is greater than the request.

PROCUREMENT, DEFENSE-WIDE

2003 appropriation to date	\$3,414,455,000
2003 supplemental estimate	
Committee recommendation	451,000,000

The Committee recommends \$451,000,000 for Procurement, Defense-Wide. The recommendation is greater than the request.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

2003 appropriation to date	\$7,669,656,000
2003 supplemental estimate	
Committee recommendation	11,500,000

The Committee recommends \$11,500,000 for Research, Development, Test and Evaluation, Army. The recommendation is greater than the request.

Hybrid Electric Vehicles.— In the fiscal year 2003 Joint Explanatory Statement of the Managers, under this title, the project hybrid electric vehicle testing should be named “Hybrid Electric Vehicle testing and Hybrid Electric Vehicle testing facilities at Cold Regions Test Center”.

Airfield Improvements.— Of the funds provided in Public Law 107–248 under the heading “Research, Development, Test and Evaluation, Defense-Wide”, \$12,000,000 is provided for airfield improvements associated with the ground-based mid-course missile defense program.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

2003 appropriation to date	\$1,784,956,000
2003 supplemental estimate	430,000,000
Committee recommendation	550,000,000

The Committee recommends \$550,000,000 for Defense Working Capital Funds. The recommendation is greater than the request.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

2003 appropriation to date	\$14,843,542,000
2003 supplemental estimate	
Committee recommendation	501,700,000

The Committee recommends \$501,700,000 for the Defense Health Program. The recommendation is greater than the request.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

2003 appropriation to date	\$881,907,000
2003 supplemental estimate	\$34,000,000
Committee recommendation	\$34,000,000

The Committee recommends \$34,000,000 for Drug Interdiction and Counter-Drug Activities, Defense. The recommendation is identical to the request.

DEFENSE EMERGENCY RESPONSE FUND

2003 appropriation to date	
2003 supplemental estimate	\$59,863,200,000
Committee recommendation	11,019,000,000

The Committee recommends \$11,019,000,000 for Defense Emergency Response Fund. The recommendation is less than the request.

The President requested \$59,863,200,000 to be made available in the Defense Emergency Response Fund (DERF) to support Operation Iraqi Freedom and continuing operations in support of the Global War on Terrorism. The Committee supports fully the men and women fighting today and commends them for their efforts. In recognition that their task is critically important and essential, the Committee is recommending the full amount for this purpose, but has appropriated \$48,844,200,000 of the DERF request to specific accounts in order to accelerate the distribution of these much needed funds to the Services.

The Committee understands that the Defense Department’s supplemental request for \$63,381,500,000 reflects its best estimate for its expected needs. The Committee recognizes that DOD requires flexibility to manage the war effort because there are many unknowns in the conduct of combat operations and has provided the Department with \$11,019,000,000 for this purpose. The Committee believes that this funding, in addition to expanded transfer authority, will provide the Department of Defense with the spending flexibility it needs to prosecute the war and provide the Services with the funds they need to carry out their duties.

The Committee is pleased that the Department of Defense will submit quarterly reports on the transfer of funds from the DERF to specific appropriation accounts. This information is crucial to the Congress to fully understand the needs of the Department and the Services.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 301. The Committee recommendation includes a provision proposed by the Administration which provides the Secretary of Defense with additional authority for the CINC Initiative Fund (CIF).

SEC. 302. The Committee recommendation modifies a provision proposed by the Administration which provides the Secretary of Defense with additional authority for extraordinary and emergency expenses associated with Operation Iraqi Freedom and the ongoing Global War on Terrorism.

SEC. 303. The Committee recommendation modifies a provision proposed by the Administration which provides the Secretary of Defense additional transfer authority.

SEC. 304. The Committee recommendation includes a provision proposed by the Administration which allows the Department of Defense to reimburse the Services for a drawdown authority under the Afghanistan Freedom Support Act of 2002.

SEC. 305. The Committee recommendation includes a provision proposed by the Administration which provides specific authoriza-

tion for the funds appropriated in this Act for intelligence activities.

SEC. 306. The Committee recommendation modifies a provision proposed by the Administration which authorizes drawdown under the Iraq Liberation Act of 1998.

SEC. 307. The Committee recommendation modifies a provision proposed by the Administration which authorizes the President to use fiscal year 2003 and prior year Cooperative Threat Reduction funds outside the states of the former Soviet Union.

SEC. 308. The Committee recommendation includes a new provision that limits the use of funds in this Act.

SEC. 309. The Committee recommendation includes a new provision that requires notification regarding the use of funds in this Act for military construction activities or minor construction.

SEC. 310. The Committee recommendation includes a technical correction concerning funds available for an Air Force training range.

SEC. 311. The Committee recommendation includes a technical correction to the National Defense Authorization Act of 2003 concerning limitations placed upon multi-year services contracts.

SEC. 312. The Committee recommendation includes a technical correction concerning an infantry rifle range.

SEC. 313. The Committee recommendation includes a technical correction that permits the Army to use funds available for Air Battle Captain training for this initiative during fiscal year 2003.

CHAPTER 4

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATIONS AND MAINTENANCE, GENERAL

2003 appropriation to date	\$1,940,167,000
2003 supplemental estimate	
Committee recommendation	29,000,000

The Committee recommendation includes \$29,000,000 to support increased security measures at Corps of Engineers owned and operated infrastructure facilities.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

2003 appropriation to date	\$813,491,000
2003 supplemental estimate	
Committee recommendation	25,000,000

The Committee recommendation includes \$25,000,000 to support increased security measures at Bureau of Reclamation owned and operated infrastructure facilities.

DEPARTMENT OF ENERGY
ENERGY PROGRAMS
SCIENCE

2003 appropriation to date	\$3,305,894,000
2003 supplemental estimate	
Committee recommendation	1,000,000

The Committee recommendation includes \$1,000,000 to support increased safeguards and security of the Department's nuclear and other facilities.

ATOMIC ENERGY DEFENSE ACTIVITIES
NATIONAL NUCLEAR SECURITY ADMINISTRATION
WEAPONS ACTIVITIES

2003 appropriation to date	\$5,954,204,000
2003 supplemental estimate	
Committee recommendation	19,000,000

The Committee recommendation includes \$19,000,000 to address protective force requirements in the Nation's nuclear weapons complex resulting from elevated security levels, including up to \$2,000,000 for acquisition of protective systems and equipment at the Pantex Plant, Texas.

DEFENSE NUCLEAR NONPROLIFERATION

2003 appropriation to date	\$1,113,630,000
2003 supplemental estimate	
Committee recommendation	55,000,000

The Committee recommendation includes a total of \$55,000,000. From within the total, \$20,000,000 shall be available to accelerate the NNSA's work under the Second Line of Defense Program to install radiation detection equipment at major transit/transportation hubs and ports in countries other than Russia and the Newly Independent States. From within the total, \$35,000,000 shall be available to support material protection, control and accounting (MPC&A) activities outside the former Soviet Union, including the packaging and disposition of source materials to be recovered in Iraq, MPC&A activities in South Asia, and nuclear and radiological export control cooperation in regions of concern.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

2003 appropriation to date	\$5,470,180,000
2003 supplemental estimate	
Committee recommendation	6,000,000

The Committee recommendation includes \$6,000,000 to address protective force requirements at nuclear and other facilities resulting from elevated security levels.

OTHER DEFENSE ACTIVITIES

2003 appropriation to date	\$546,554,000
2003 supplemental estimate	
Committee recommendation	18,000,000

The Committee recommendation includes \$18,000,000 to be available for transfer to other Department of Energy accounts for safeguard and security requirements. The transfer shall only take place 15 days after the Department has notified the House and Senate Committees on Appropriations of the proposed transfers.

CHAPTER 5

SUBCOMMITTEE ON FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

2003 appropriation to date	\$1,824,563,000
2003 supplemental estimate	40,000,000
Committee recommendation	90,000,000

The Committee provides \$90,000,000 for an additional amount in Child Survival and Health Programs Fund assistance for reimbursement of costs incurred by USAID for pre-conflict humanitarian and relief activities relating to Iraq.

INTERNATIONAL DISASTER ASSISTANCE

2003 appropriation to date	\$288,115,000
2003 supplemental estimate	80,000,000
Committee recommendation	112,500,000

The Committee provides \$112,500,000 for an additional amount for International Disaster Assistance for reimbursement of costs incurred by USAID for pre-conflict humanitarian and relief activities relating to Iraq.

LOAN GUARANTEES TO ISRAEL

2003 appropriation to date	
2003 supplemental estimate	(\$9,000,000,000)
Committee recommendation	(9,000,000,000)

The Committee provides the request for loan guarantees to Israel, with minor modifications, and directs the Secretary of State to submit a report within 30 days after the enactment of this Act detailing the terms and conditions of the loan guarantees.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

2003 appropriation to date	\$568,282,000
2003 supplemental estimate	22,000,000
Committee recommendation	23,600,000

The Committee provides \$23,600,000 for an additional amount for Operating Expenses of the United States Agency for International Development, of which \$2,000,000 may be transferred to and merged with Operating Expenses of the United States Agency for International Development Office of Inspector General. These funds are necessitated by relief and reconstruction efforts relating to Iraq.

OTHER BILATERAL ECONOMIC ASSISTANCE
ECONOMIC SUPPORT FUND

2003 appropriation to date	\$2,255,244,000
2003 supplemental estimate	2,442,000,000
Committee recommendation	2,357,900,000

The Committee provides \$2,357,900,000 for an additional amount in Economic Support Fund assistance.

The Committee provides the request for Egypt, including authorization for up to \$2,000,000,000 in loan guarantees over a three year period. The Committee recognizes that Egypt remains a key partner in the war against international terrorism. The Committee notes with concern the recent crackdown on Egyptian demonstrators, including the reported use of torture by police officials, and requests that not later than 30 days after enactment of this Act, the Secretary of State submit a report to the Committees on Appropriations assessing Egypt's progress in meeting its obligations as a party to the Convention on Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Committee provides the request for Turkey, including authorization for up to \$8,500,000,000 in loan guarantees, and recognizes Turkey's contributions to the war against international terrorism, particularly in Afghanistan. The Committee remains concerned that Turkey may unilaterally deploy troops into northern Iraq during Operation Iraqi Freedom, and restricts assistance to Turkey should this happen. The Secretary of State is provided with a national security interest waiver.

The Committee supports the request for Afghanistan for completion of infrastructure projects and contributions to the Afghan Government and multilateral political reform efforts. The Committee expects significant resources to be made available to support national elections in Afghanistan in 2004, and recommends USAID and State to utilize grants to nongovernmental organizations, in lieu of contracts to for-profit institutions, to support these polls.

The Committee notes that the limitations and restrictions on assistance to the West Bank and Gaza contained in Public Law 108-7 apply to in this Act. The Committee expects that funds be used for ongoing programs and activities to foster political and legal reform.

The Committee supports the Middle East Partnership Initiative (MEPI) and Muslim Outreach, and continues to encourage implementation of aggressive democracy, human rights, and media programs in that region and in other Muslim countries around the world. The Committee requests to be briefed prior to the obligation of funds for any enterprise fund.

The Committee provides \$700,000,000 for assistance for Jordan, and appreciates the continued contributions of this key ally in the war against international terrorism.

The Committee expects USAID to be expeditiously reimbursed \$40,000,000 under this heading for costs incurred for pre-conflict humanitarian and relief activities relating to Iraq, and requests to be informed once this reimbursement has occurred.

The Committee provides \$50,000,000 in Economic Support Fund assistance for the Philippines. The Committee intends these funds to be used to support economic development programs and activities designed to counter terrorism by encouraging members of the Moro Islamic Liberation Front to peacefully reintegrate into civil society.

UNITED STATES EMERGENCY FUND FOR COMPLEX FOREIGN CRISES

2003 appropriation to date	
2003 supplemental estimate	\$150,000,000
Committee recommendation	150,000,000

The Committee provides \$150,000,000 for the United States Emergency Fund for Complex Foreign Crises. While the Committee understands the need for flexibility in meeting unforeseen complex foreign crises, it includes congressional notification for these funds, which may be waived if human health or welfare is at substantial risk. The Committee encourages the use of this Fund to meet unforeseen shortfalls in relief and reconstruction efforts in Iraq.

The Committee does not intend to provide additional funds for this Fund in the fiscal year 2004 Foreign Operations, Export Financing, and Related Programs bill.

INDEPENDENT AGENCIES

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

2003 appropriation to date	\$195,720,000
2003 supplemental estimate	25,000,000
Committee recommendation	25,000,000

The Committee provides \$25,000,000 for an additional amount in International Narcotics Control and Law Enforcement assistance to enhance Pakistan's law enforcement and border security capacities to fight terrorism.

ANDEAN COUNTERDRUG INITIATIVE

2003 appropriation to date	\$695,450,000
2003 supplemental estimate	34,000,000
Committee recommendation	34,000,000

The Committee provides \$34,000,000 for the Andean Counterdrug Initiative for programs and activities relating to the protection of Colombian President Alvaro Uribe, the expansion of police presence in municipalities in insecure areas, and for other costs associated with Plan Colombia. The Committee is concerned about the large number of impoverished Colombians, particularly women and children, who have been displaced from their homes

and are not receiving public assistance. Therefore, the Committee provides that not less than \$5,000,000 should be made available for programs and activities to assist women and children who have been displaced as a result of armed conflict. The Committee intends to consider assistance for Colombia provided under this Act to partially offset the fiscal year 2004 request for assistance for Colombia. The Committee notes that the restrictions on assistance to the Andean Counterdrug Initiative contained in Public Law 108-7 apply to this Act.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE
FUND

2003 appropriation to date	\$25,831,000
2003 supplemental estimate	50,000,000
Committee recommendation	75,000,000

The Committee provides \$75,000,000 for an additional amount for the United States Emergency Refugee and Migration Assistance Fund as a replenishment of funds drawn down for programs and activities relating to Iraq.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED
PROGRAMS

2003 appropriation to date	\$304,408,000
2003 supplemental estimate	28,000,000
Committee recommendation	28,000,000

The Committee provides \$28,000,000 for an additional amount for Nonproliferation, Anti-Terrorism, Demining and Related Programs to support the continuation of programs and activities relating to the protection of Afghan President Karzai and unexploded ordnance in Afghanistan.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

2003 appropriation to date	\$4,045,532,000
2003 supplemental estimate	2,059,100,000
Committee recommendation	2,059,100,000

The Committee provides \$2,059,100,000 for the Foreign Military Financing Program.

The Committee strongly supports the request for assistance for those nations contributing to Operation Iraqi Freedom, including, but not limited to, Poland, Bulgaria, Hungary, Czech Republic, Estonia, Latvia, Romania, and Lithuania.

The Committee provides not less than \$1,000,000,000 for assistance for Israel, and \$406,000,000 for assistance for Jordan.

The Committee supports the request for Afghanistan, and supports the Afghan National Army Train and Equip Program.

The Committee supports the request for Pakistan which will bolster counterterrorism capabilities.

The Committee strongly supports the request for \$30,000,000 for counterterrorism assistance for the Philippines.

The Committee notes that restrictions on assistance for Colombia contained in Public Law 108–7 apply to this Act.

PEACEKEEPING OPERATIONS

2003 appropriation to date	\$114,252,000
2003 supplemental estimate	200,000,000
Committee recommendation	150,000,000

The Committee provides \$150,000,000 for an additional amount for Peacekeeping Operations to assist coalition partners in a post-conflict/transitional Iraq. Prior to obligation, the Committee requests a briefing on plans for the use and disbursement of these funds. The Committee notes that the notification requirements for this account contained in Public Law 108–7 apply to this Act.

OTHER BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

IRAQI RELIEF AND RECONSTRUCTION FUND

(INCLUDING TRANSFERS OF FUNDS)

2003 appropriation to date	
2003 supplemental estimate	\$2,443,300,000
Committee recommendation	2,468,300,000

The Committee provides \$2,468,300,000 for the Iraq Relief and Reconstruction Fund for humanitarian assistance in and around Iraq and for rehabilitation and reconstruction in Iraq. The Committee expects that the transfer authority provided by this provision will not be used to transfer funds to the Department of Defense. Prior to the initial transfer of funds, the Secretary of State shall consult with the Committees on Appropriations on plans for the use of the funds appropriated under this heading.

The Committee provides that funds appropriated under this heading shall be used to fully reimburse accounts administered by the Department of State, the Department of the Treasury, and the United States Agency for International Development for expenses relating to the pre-positioning of relief and reconstruction assistance for Iraq prior to the enactment of this Act. The Committee notes that the following accounts should be reimbursed from funds appropriated under this heading: \$157,000,000 for “Development Assistance”; \$3,900,000 for “Transition Initiatives”; and \$100,000,000 for “Economic Support Fund”. The Committee requests to be notified when reimbursements have been requested and fulfilled.

The Committee notes that funds appropriated under this heading are subject to the regular notification procedures of the Committee on Appropriations, except that notifications shall be transmitted at least 5 days in advance of the obligation of funds.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 501. The Committee includes transfer authority between certain accounts, and requests to be consulted before this authority is exercised.

SEC. 502. The Committee provides the request for authority to provide assistance or other financing in this chapter for relief and reconstruction efforts in Iraq notwithstanding any other provision of law. Funds made available pursuant to this authority shall be subject to the regular notification procedures of the Committees on Appropriations, except that notification shall be transmitted at least 5 days in advance of the obligation of funds.

SEC. 503. The Committee provides the request for the repeal of the Iraqi Sanctions Act of 1990, and other limitations on assistance for Iraq.

SEC. 504. The Committee provides the request for the authority to export to Iraq any item subject to the Export Administration Regulations or controlled under the International Trafficking in Arms Regulations on the United States Munitions List, if the President determines that to do so in the national interests of the United States. The Committee requests the President, after consulting with all relevant departments and agencies, to report to the appropriate congressional committees on a semiannual basis on all Commerce and Control Munitions List items transferred to Iraq, and the person or entity to which each item has been transferred. The Committee requests that the first report be submitted to Congress no later than 90 days after enactment of this Act.

SEC. 505. The Committee provides \$10,000,000 in “Economic Support Fund” assistance for the establishment of a tribunal for the prosecution of Saddam Hussein and other Iraqi war criminals.

Sec. 506. The Committee includes the Sense of Congress providing that, to the maximum extent practicable, contracts and grants for relief and reconstruction in Iraq should be awarded to United States companies and organizations, those located in the Near East region, and those from countries who have provided assistance to Operation Iraqi Freedom. The Committee believes that reconstruction efforts should include employment and other opportunities for the Iraqi people.

Sec. 508. The Committee provides the Secretary of State with a national security interest waiver for certain restrictions on assistance for Ukraine contained in Public Law 108–7.

CHAPTER 6

SUBCOMMITTEE ON HOMELAND SECURITY

DEPARTMENT OF HOMELAND SECURITY

DEPARTMENTAL MANAGEMENT

COUNTERTERRORISM FUND

2003 appropriation to date	\$9,935,000
2003 supplemental estimate	1,500,000,000
Committee recommendation	1,135,000,000

The Committee provides an additional \$1,135,000,000 to support expanded responsibilities of the Department of Homeland Security organizations and other authorized Federal Government activities in Federal agencies outside the Department during periods of heightened threat awareness resulting from the conflict with Iraq. This amount is \$365,000,000 less than the supplemental request.

The amount recommended includes an additional \$215,000,000 of the amount requested by the President for the "Emergency Response Fund" under the Executive Office of the President, and a reduction of \$580,000,000 from the supplemental request for the "Counterterrorism Fund." The Committee has instead appropriated \$580,000,000 directly to the Coast Guard to support additional operational costs associated with the activation of Coast Guard reservists and forces already deployed or in the process of being deployed to the operational theater, and increased protection of military outload and economically-critical U.S. ports.

Due to the uncertainty of the full scope of agency requirements related to Operation Liberty Shield and needs resulting from the conflict in Iraq and the Middle East, flexibility is provided to the Secretary of Homeland Security, as requested, to allocate the \$1,135,000,000 in supplemental appropriations provided for the Counterterrorism Fund to respective Department of Homeland Security agencies, including the Coast Guard. These additional funds are to be used only for activities above and beyond day-to-day operations, including costs associated with the management and administration of expanded State and local assistance programs. Not to exceed \$215,000,000 of the total amount appropriated may be transferred to any authorized Federal Government activity outside the Department of Homeland Security to cover immediate or emerging terrorism-related prevention requirements, as determined by the Secretary of Homeland Security. Prior to the obligation of any funds, the Secretary of Homeland Security is required to submit a 15-day notice to the Committees on Appropriations of the House and Senate. The Committee expects this notice to be accompanied by a full and complete justification of the costs to be reimbursed by agency and account, including a detailed breakdown by program, project and activity.

Current Department of Homeland Security estimates of agency 30-day requirements associated with immediate or emerging terrorism-related prevention and response activities are as follows: Bureau of Immigration and Customs Enforcement, \$55,000,000 (overtime for investigations and detentions, air and marine interdiction, detention and removals, investigations, Federal Protective Service, operations and maintenance for the air program, and other related costs); Bureau of Customs and Border Protection, \$65,000,000 (overtime, operations costs of assets, impact on user fee collections, and other logistics costs); Bureau of Citizenship and Immigration Services, \$1,000,000 (international affairs, overtime for adjudication support, and naturalization for military personnel); Transportation Security Administration, \$120,000,000 (overtime for passenger screeners, operations costs of assets, supply/logistics costs, contract hiring/service/training, and State and local (National Guard) expenses); Federal Law Enforcement Training Requirements, \$1,000,000 (emergency training requirements); U.S. Secret Service, \$10,000,000 (additional personnel costs, security upgrades, equipment and replacement purchases); Emergency Preparedness and Response, \$15,000,000 (emergency support teams and regional operations centers); and Infrastructure Analysis and Infrastructure Protection, \$10,000,000 (protection of critical assets).

BORDER AND TRANSPORTATION SECURITY
OFFICE FOR DOMESTIC PREPAREDNESS

2003 appropriation to date	\$993,500,000
2003 supplemental estimate	2,000,000,000
Committee recommendation	2,000,000,000

The Committee provides an additional \$2,000,000,000, as requested, to continue to enhance and strengthen America's first responder community. Included in this amount is \$1,420,000,000 for grants to States for protection and preparedness activities; \$30,000,000 for direct technical assistance to States; \$450,000,000 for grants to augment security at critical infrastructure facilities; and \$100,000,000 for protection or preparedness needs of high-threat urban areas.

The additional \$1,420,000,000 made available for grants to States to further augment State and local protection and preparedness activities is to be allocated by formula to States for the acquisition of equipment, training, exercises, and planning. Language is included in the bill to require that at least 80 percent of these funds are allocated to local governments within 60 days of the grant award.

An additional \$30,000,000 is made available to enable the Office for Domestic Preparedness to provide technical assistance to States for a variety of activities, as needed, including support for plan development, implementation of exercises, and assistance with interoperable communications and equipment.

The \$450,000,000 provided for grants to States to augment security at critical infrastructure facilities is to be made available to reimburse State and local governments for personnel overtime, deployment of the National Guard, and contract staff used to supply security to meet heightened protection requirements. These funds are to be allocated by formula to States. Language is included in the bill to require that no less than one-third of each grant be allocated to local governments within 60 days of award. The Committee expects the Department of Homeland Security to work closely with governors to ensure proper security for the most sensitive sites, and to develop and approve State and local site protection plans to enable funds to be released expeditiously.

The Department is expected to provide bi-weekly reports on the status of State application submissions for all available funds provided for programs of the Office for Domestic Preparedness.

The Committee recognizes that certain densely-populated urban areas may be particular targets of terrorists. Supplemental funding of \$100,000,000 is made available to meet the protection or preparedness needs of these high-threat urban areas, as determined by the Secretary of Homeland Security.

The Committee directs that, not later than 60 days after the date of enactment of this Act, the Director of the Office for Domestic Preparedness in the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on the distribution of Federal financial assistance to, and within, States in support of first responders to threats or acts of terrorism. The report shall include

a detailed discussion of the relationship between the distribution of funds and the assessed threats, vulnerabilities, and risks.

The Committee further directs the Secretary of Homeland Security to work with the national intelligence community (including the Central Intelligence Agency, the Federal Bureau of Investigation, the Defense Intelligence Agency and others), as well as State and local law enforcement agencies, to evaluate threat levels and estimate the risk of terrorist attack at the local level to high threat urban areas. This assessment should take into consideration risk factors such as dense population or areas which may be particular targets for terrorists such as airports, seaports, symbolic targets (including monuments, historic sites and other landmarks), and a history of terrorist attack. The Committee further directs the Secretary of Homeland Security to report to the Committee on these findings within 60 days of enactment of this Act. In addition, the Committee directs the Secretary to (1) determine the cost of securing each locality; (2) evaluate of how much of such costs should be borne by the Federal Government; (3) identify other entities, if any, who should share in those costs and to what extent; and (4) propose a formula for distributing these funds based upon these findings.

COAST GUARD

OPERATING EXPENSES

2003 appropriation to date	\$4,294,028,000
2003 supplemental estimate	(1)
Committee recommendation	580,000,000

¹ Included in 2003 supplemental estimate for the Counterterrorism Fund.

The Committee provides an additional \$580,000,000 in supplemental appropriations for Coast Guard Operating Expenses in support of Department of Defense initiatives in relation to Operation Iraqi Freedom and Operation Liberty Shield.

Current estimates associated with the activation of Coast Guard forces deployed to or in the process of being deployed to the operational theater initially developed in response to Operation Iraqi Freedom are as follows: pay and personnel support costs (regular and special pays, messing, per diem, medical costs, issued personnel gear and personnel support costs at the field command and reserve mobilization costs), for deployed forces, \$62,000,000, and for military outload security, \$163,000,000; operational tempo and mission costs (fuel, consumable parts, facilities and base support, force protection, command and control costs), for deployed forces, \$69,000,000, and for military outload security, \$54,000,000; and transportation, reconstitution, and recapitalization costs (sealift, airlift, recapitalization of non-standard boats and consumed inventories and depot repair of deployed cutters), for deployed forces, \$49,000,000, and for military outload, \$3,000,000.

Coast Guard requirements developed in response to Operation Liberty Shield for strategic economic ports: pay and personnel support costs, \$150,000,000; operational tempo and mission costs, \$25,000,000; and transportation, reconstitution and recapitalization costs, \$5,000,000.

CHAPTER 7

SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES, AND
EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The Committee recommendation includes \$35,000,000 for costs associated with compensating individuals with injuries resulting from smallpox vaccinations and countermeasures. Funds are available only upon enactment of legislation authorizing a smallpox vaccination compensation program.

GENERAL PROVISION

REPATRIATION

The Committee recommendation includes bill language requested by the Administration to eliminate the \$1,000,000 cap in fiscal year 2003 on funds available for the Department of Health and Human Services to provide assistance to ill or destitute U.S. citizens who have returned from foreign countries due to war, threat of war, invasion, or similar crisis.

CHAPTER 8

SUBCOMMITTEE ON THE LEGISLATIVE BRANCH

LEGISLATIVE BRANCH

JOINT ITEMS

LEGISLATIVE BRANCH EMERGENCY RESPONSE FUND

2003 appropriation to date	
2003 supplemental estimate	\$125,000,000
Committee recommendation	

The Committee notes that the Office of Management and Budget submitted a request of \$125,000,000 for the Legislative Branch Emergency Response Fund. However, legislative branch agencies submitted individual requests totaling \$130,800,000, excluding amounts requested by the House of Representatives. The Committee is concerned that OMB has violated normal protocols dictated by the separation of powers between the two branches of government by not including in the supplemental request precisely that which was requested by the Legislative Branch.

The Committee has recommended funds directly to the individual agencies which submitted requests, rather than a lump sum appropriation as submitted by OMB.

CAPITOL POLICE

GENERAL EXPENSES

2003 appropriation to date	\$174,533,000
2003 supplemental estimate	
Committee recommendation	38,165,000

The Committee recommends \$38,165,000 for Capitol Police general expenses for additional measures needed for security of the Capitol Complex. The Committee expects to approve the specific allocation of these funds.

The Committee recognizes there may be a need for additional resources for the dignitary protection division upon completion of a new policy for protective details and expects to work with the agency if resources are needed this year.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

2003 appropriation to date	\$2,046,000
2003 supplemental estimate	
Committee recommendation	111,000

The Committee recommends \$111,000 for the Office of Compliance, as requested by the Office. These funds are needed for hearings and mediation services mandated under sections 403 and 405 of the Congressional Accountability Act. The Office has experienced a significantly larger number of hearings than had been anticipated.

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

2003 appropriation to date	\$58,597,000
2003 supplemental estimate	
Committee recommendation	18,672,000

The Committee recommends \$18,672,000 for the general administration account for critical life safety improvements.

CAPITOL BUILDING

2003 appropriation to date	\$31,885,000
2003 supplemental estimate	
Committee recommendation	1,100,000

The Committee recommends \$1,100,000 for the Capitol building appropriation in order to meet life safety standards for egress.

CAPITOL POWER PLANT

2003 appropriation to date	\$101,621,000
2003 supplemental estimate	
Committee recommendation	14,600,000

The Committee recommends \$14,600,000 for the Capitol Power Plant. These funds are needed to mitigate a major environmental and health hazard by replacing the current aged high voltage

switchgear transformers, install oil storage tanks and a distributed control system.

CAPITOL POLICE BUILDINGS AND GROUNDS

2003 appropriation to date	\$23,745,000
2003 supplemental estimate	
Committee recommendation	40,140,000

The Committee recommends \$40,140,000 for Capitol Police buildings and grounds. These funds are needed to purchase property, lease interim facilities to meet the USCP's growing space requirements, construction of a tactical training facility, and other urgently needed facility requirements.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

2003 appropriation to date	\$349,338,000
2003 supplemental estimate	
Committee recommendation	5,500,000

The Committee recommends \$5,500,000 for the purchase and installation of a public address system to support emergency management planning.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

2003 appropriation to date	\$86,387,000
2003 supplemental estimate	
Committee recommendation	1,863,000

The Committee recommends \$1,863,000 for the Congressional Research Service for mirroring of mission-critical on-line data.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

2003 appropriation to date	\$451,202,000
2003 supplemental estimate	
Committee recommendation	4,849,000

The Committee recommends \$4,849,000 for the General Accounting Office. These funds are needed for the security of GAO facilities and information systems.

CHAPTER 9

SUBCOMMITTEE ON MILITARY CONSTRUCTION

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY

2003 appropriation to date	\$1,303,788,000
2003 supplemental estimate	48,100,000
Committee recommendation	48,100,000

The Committee recommends an additional \$48,100,000 for Military Construction, Navy, to provide facilities and infrastructure to carry out detainee operations for the initial phase of the long-term detention mission at Guantanamo Bay, Cuba. The Committee notes that with these additional funds, over \$104,000,000 in military construction will have been expended for detainee facilities at Guantanamo Bay since February, 2002. Included in these expenses are at least three generations of housing facilities for personnel assigned to detainee operations at Guantanamo—"SEA Huts", improved "SEA Huts" and durable metal troop housing. While the Committee is supportive of the detainee mission at Guantanamo, it wishes to minimize repetitive construction of perishable temporary facilities. The Committee directs the Department to complete a comprehensive facilities master plan for Guantanamo and to provide copies of that plan to the congressional defense committees by September 30, 2003.

MILITARY CONSTRUCTION, AIR FORCE

2003 appropriation to date	\$1,048,366,000
2003 supplemental estimate	129,400,000
Committee recommendation	127,400,000

The Committee recommends an additional \$127,400,000 for Military Construction, Air Force, to be used as follows:

Millennium Village Construction	\$85,100,000
Explosive Ordnance Pad Construction, Diego Garcia	3,200,000
Planning and Design	1,800,000
Andersen AFB Hangar Construction	35,500,000
Andersen AFB Hangar Planning and Design	1,800,000

The supplemental appropriation request included \$25,000,000 for construction of a parallel taxiway at a classified location. However, the Committee understands that this project is already under construction using operations and maintenance funds; therefore additional appropriation is unnecessary. The request also included \$11,000,000 for construction of a C-130 aircraft parking apron at a classified location but the Committee understands that the requirement for this facility no longer exists because of mission changes. For these reasons funding is not provided for either of these projects or for the planning and design to support them.

The Committee notes that an urgent need exists to repair damage to facilities at Andersen Air Force Base caused by Typhoon Pongsong, which struck Guam on December 8-9, 2002. Andersen Air Force Base represents an important strategic capability for the United States as a key staging location for operations into East Asia and as a crucial part of the air bridge to Southwest Asia. Typhoon Pongsong caused significant damage to three of the base's four aircraft hangars, eliminating the base's ability to conduct climate controlled aircraft maintenance. \$35,700,000 is provided for construction of a new aircraft maintenance hangar, and \$1,800,000 is provided for planning and design for this project.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

2003 appropriation to date	\$863,050,000
2003 supplemental estimate	2,000,000
Committee recommendation	

The Committee recommends an additional \$2,000,000 for Family Housing Operation and Maintenance, Air Force, to repair family housing units at Andersen Air Force Base, Guam, which were damaged by Typhoon Ponsonga.

GENERAL PROVISION, THIS CHAPTER

SEC. 901. The Committee recommendation modifies a provision proposed by the administration which provides the Secretary of Defense with additional authority for military construction expenses associated with the war on terror and military operations in Iraq.

CHAPTER 10

SUBCOMMITTEE ON TRANSPORTATION, TREASURY AND GENERAL GOVERNMENT

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

2003 appropriation to date	\$4,126,000
2003 supplemental estimate	
Committee recommendation	50,000,000

The Committee recommends an appropriation of \$50,000,000 for the Maritime Guaranteed Loan Program (title XI). The title XI program provides subsidies for guaranteed loans for purchasers of vessels built in U.S. shipyards and includes the guarantee for facilities or equipment pertaining to marine operations related to any of those vessels. The Committee is aware that the program is critical for those who transport military equipment and supplies to deployed military forces during time of war. There is currently only \$1,000,000 available for pending and new loan guarantees, and many future maritime projects, including those that will be used for military sealift, are in jeopardy without additional resources.

TITLE II—MISCELLANEOUS AND TECHNICAL CORRECTIONS

CHAPTER 1

SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, AND
RELATED AGENCIES

GENERAL PROVISIONS

The following provision is a technical correction. The Committee recommendation permits a recently appointed U.S. Department of Agriculture Task Force to evaluate the merits of establishing National Institutes at USDA for the purposes of improving research activities critical to food and agricultural science.

The following provision is a technical correction. The Committee recommendation supplies an effective date for ginseng labeling.

The following provision is a technical correction. The Committee recommendation clarifies the intent of the original provision to provide payments for crop losses, livestock losses, and related expenses resulting from flooding following the application of a pesticide for brush control.

The Committee recommendation includes a provision which makes a change to the definition of a producer handler and requires the Secretary of Agriculture to report on the sale of class 1 milk products into California. The provision also makes a technical change in regard to Federal milk marketing orders in Clark County, Nevada.

CHAPTER 2

SUBCOMMITTEE ON COMMERCE, JUSTICE, AND STATE, THE
JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PROCUREMENT, ACQUISITION AND CONSTRUCTION

2003 appropriation to date	\$754,096,000
2003 supplemental estimate	
Committee recommendation	106,060,000

The Committee recommends \$106,060,000 for procurement, acquisition and construction. The recommendation is \$106,060,000 above the request.

The Polar-orbiting Operational Environmental Satellite [POES], National Polar-orbiting Operational Environmental Satellite System [NPOESS], and Geostationary Operational Environmental Satellite [GOES] programs are designed to provide the U.S. Government with continuous satellite coverage necessary for weather fore-

casting and disaster planning and response. In 1994, as a cost savings effort, the civil and military polar-orbiting systems were integrated into a single, national system satisfying both civil and national security needs. In order to ensure that the United States would never be dependent on a foreign government for its weather satellite data, the programs were designed to include a spare that could be launched or activated immediately should a system failure occur.

Since the fiscal year 2003 omnibus appropriations conference, the Committee has learned that it was misinformed regarding the funding requirements for the POES, NPOESS, and GOES programs. The fiscal year 2003 President's budget request for POES and NPOESS included an anomaly. As noted above, satellite purchases are phased to ensure that a "hot" spare is available should a catastrophic launch failure occur. The request introduced a 12-month gap between the second to last POES launch and the availability of a spare and a 19-month gap between the last launch of POES and the availability of a NPOESS spare. Current funding levels exacerbate these gaps. Regarding GOES, NOAA typically options satellite "buses" and launch vehicles at the same time. The current funding level will force NOAA to split the optioning of the next satellite. The bus will be paid for with fiscal year 2003 funds and the launch vehicle with fiscal year 2004 funds.

The level of risk and additional costs associated with the gaps and the severing of launch vehicle from bus are not acceptable. Therefore, the Committee recommendation provides \$14,600,000 for POES and \$48,000,000 for NPOESS to reduce to the greatest degree possible the gaps and \$41,000,000 for GOES to remedy the procurement. The National Environmental Satellite, Data and Information Service is directed to provide to the Committees on Appropriations a "cure plan" for these three programs not later than June 1, 2003.

RELATED AGENCIES

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

2003 appropriation to date	\$306,815,000
2003 supplemental estimate	
Committee recommendation	23,300,000

The Committee recommends \$23,300,000 for the Equal Employment Opportunity Commission [EEOC]. The recommendation is \$23,300,000 above the supplemental budget request. The recommendation is necessary to avert a fiscal crisis that will result in the furlough of 100 percent of the workforce for an extended period of time. The Committee understands this fiscal crisis resulted from a myriad of factors, most significantly past hiring practices that resulted in a tremendous surge in staff salaries and benefits and increased GSA rent requirements.

Upon assumption of duties, the present Chair immediately instituted a hiring freeze but lacks the resources to induce sufficient numbers of employees to apply for early retirement. The Commission took further corrective action by contracting with the National

Academy of Public Administration [NAPA] to assess personnel structure and other workforce issues. The NAPA study recommended a 5-year plan to more efficiently align the Commission and avoid financial crises in the future.

The immediate requirement to merely stabilize the Commission and prevent a furlough or Anti-Deficiency Act violation is \$18,300,000. However, this funding level will not correct the root problem, only delay it. Implementation of the NAPA plan is the only sure way to correct the fiscal problem. Therefore, the Committee recommends \$5,000,000 for the first installment of the restructure plan. This will allow the agency to establish a national call center and provide technology required to more fully support telework and remote access requirements, as well as support major staffing adjustments.

Immediate stabilization and a major personnel restructure are critical to the agency's future. The EEOC has presented this Committee with a business case analysis to support this request that will not only stabilize the Commission but begin a realistic and cost-effective restructure plan.

NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES

SALARIES AND EXPENSES

2003 appropriation to date	\$3,000,000
2003 supplemental estimate	
Committee recommendation	11,000,000

The Committee recommends \$11,000,000 for the National Commission on Terrorist Attacks Upon the United States. The Committee recommendation is \$11,000,000 above the request.

The amount provided is intended to cover all costs through the life of the Commission. The report of the Commission is due May 2004.

CHAPTER 3

SUBCOMMITTEE ON DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA

The Committee recommends a number of changes to the District of Columbia's local budget, as requested by the Mayor and approved by City Council. These changes are necessitated by a projected budget shortfall of \$133,600,000. The Committee is not recommending any additional Federal funds for the District of Columbia.

GOVERNMENTAL DIRECTION AND SUPPORT

The Committee recommends a rescission of \$9,358,000 in local funds for governmental direction and support for savings associated with the reduction in risk management functions within the agency, savings associated with a District-wide hiring freeze, and the reduction of telecommunications costs and contractual savings.

ECONOMIC DEVELOPMENT AND REGULATION

The Committee recommends an increase of \$14,998,000 in local funds for economic development and support for increased costs associated with the following: the Summer Youth Program, the Home Purchasing Assistance Program, and the Relocation Program.

PUBLIC SAFETY AND JUSTICE

The Committee recommends an increase of \$10,422,000 in local funds for public safety and justice, including funds for overtime costs and new recruiting costs for the Metropolitan Police Department, and overtime costs for the Department of Corrections and the Fire and Emergency Medical Services.

PUBLIC EDUCATION SYSTEM

The Committee recommends several changes in the allocation of local funds for the public education system. These include an increase of \$2,029,000 for the District of Columbia Public Schools for school operations, a rescission of \$12,000,000 for District of Columbia Charter Schools due to lower than anticipated student enrollment, however, the Committee intends that not less than \$3,000,000 of these funds are to be used to provide adequate charter school facilities and educational programs for charter schools. The Committee also recommends a rescission of \$1,040,000 for the University of the District of Columbia due to savings achieved by a District-wide hiring freeze, a rescission of \$273,000 for the District of Columbia Public Libraries due to cuts made in its share of the Arts project program, and a rescission of \$255,000 for the Commission on the Arts and Humanities due to a cut in its share of the Arts project program.

HUMAN SUPPORT SERVICES

The Committee recommends several changes to the allocation of local funds for Human Support Services. These include an increase for the Department of Health to cover medical claims exceeding budgeted costs, and to cover higher Medicaid utilization and managed care costs. These also include an increase to the Department of Human Services to cover court order costs associated with the Mental Retardation and Developmental Disabilities Agency, as well as an increase for the Children and Family Services Agency to cover costs associated with unbudgeted out-of-state tuition costs for foster care student.

PUBLIC WORKS

The Committee recommends several changes to the allocation of local funds for Public Works. These include increases for the recycling program, and for the District's inspection station program. The Committee is recommending several rescissions attributable to hiring freezes and freezing pay increases.

REPAYMENT OF LOANS AND INTEREST

The Committee recommends a rescission of \$2,466,000 from local funds due to the lower debt service obligations based on improved market rates and delays in borrowing.

WORKFORCE INVESTMENTS

The Committee recommends a rescission of \$2,000,000 from local funds in Workforce Investments due to the suspension of non-union pay increases.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 3001. The Committee has included bill language to allow the District to authorize transfers of an amount not to exceed \$32,900,000 from funds identified in the fiscal year 2002 comprehensive annual financial report from the fund balance to the local general fund. This transfer will allow the District to address revenue shortfalls due to the economic downturn, but it will not affect the District's emergency or contingency reserves.

SEC. 3002. The Committee has included bill language that extends the authority which the Chief Financial Officer of the District of Columbia can exercise with respect to personnel, procurement, and the preparation of fiscal impact statements during a control period through September 30, 2004. The current authority expires on July 1, 2003.

CHAPTER 4

SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

STATE AND TRIBAL WILDLIFE GRANTS

The Committee recommendation provides a technical correction to language in Public Law 108-7 relating to State and Tribal Wildlife Grants.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

2003 appropriation to date	\$1,555,389,000
2003 supplemental estimate .....	.....
Committee recommendation	9,000,000

The Committee recommendation provides a correct amount for operation of the national park system in Public Law 108-7 to reflect the conference agreement.

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

In accordance with the administration's request, the Fiscal Year 2002 Interior and Related Agencies Appropriations Act (Public Law

107–63) provided funding for the construction of a K–12 Ojibwa Indian school. Since that time, the Turtle Mountain Band of Chipewya Indians and the Bureau of Indian Affairs have agreed that the replacement school should be sized for 553 students. Based on this agreement, the Committee believes that the remaining planning, design, and actual construction can now be accomplished for approximately \$26,700,000, or less. Bill language has therefore been included directing that funds for this project be made available for obligation within 30 days of enactment of this Act.

RELATED AGENCY

GENERAL PROVISION

Modifies section 328 of Division F of Public Law 108–7 to reflect congressional intent more clearly.

Requires the Secretary of the Interior to provide a report to Congress detailing the Secretary’s intent regarding the direct sale of 983 acres in Clark County, Nevada.

CHAPTER 5

SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

The Committee recommendation includes bill language providing \$1,000,000 for the Jobs for America’s Graduates program.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

In the statement of the managers of the committee of conference accompanying H.J. Res. 2 (Public Law 108–7; House Report 108–10), in the matter in title II of Division G, under the heading “Health Resources and Services”

- the provision specifying \$200,000 for the U.S. and Developing Country Medical Centers Program for the linking of U.S. academic medical centers with developing country medical centers to facilitate mutual capacity building through the exchange of clinicians between the two institutions so that care providers in the developing world can learn, first hand, from those in the U.S. who are most experienced in AIDS care shall be deleted;
- the provision specifying La Crosse Medical Health Science Consortium to establish virtual health centers shall be deemed to read as follows: “La Crosse Medical Health Science Consortium in La Crosse, Wisconsin to establish virtual health centers in eight counties”;
- the provision specifying Children’s Hospital Central California for construction of the Pediatric Trauma Unit shall be deemed

to read as follows: “Children’s Hospital Central California in Madera, CA for construction of the Pediatric Trauma Unit”; and

- the provision specifying \$1,630,000 for the Geisinger Health System, Harrisburg, PA, for the Rural PA Stroke Care Partnership shall be deemed to read: “Geisinger Health System, Harrisburg, PA, for the Rural PA Stroke Care Partnership, \$630,000”.

The Committee recommendation includes bill language making technical corrections to numerous projects within the Health Resources and Services account.

The Committee recommends transferring \$800,000 from the health care and other facilities construction program to the telehealth grant program. The Committee also recommends transferring \$225,000 from the health care and other facilities construction program to program management. The Committee further recommends transferring \$490,000 from the health care and other facilities construction program to the rural outreach program and also transfers \$200,000 from the Rural Health Outreach Grants program to Program Administration.

ADMINISTRATION FOR CHILDREN AND FAMILIES

CHILDREN AND FAMILIES SERVICES PROGRAMS

In the statement of the managers of the committee of conference accompanying H.J. Res. 2 (Public Law 108–7; House Report 108–10), in the matter in title II of Division G, relating to Social services and income maintenance research under the heading “Children and Families Services Programs”

- the provision specifying \$150,000 for the Bethesda Children’s Home shall be deemed to read as follows, “Bethesda Children’s Home/Lutheran Social Services”.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

In the statement of the managers of the committee of conference accompanying H.J. Res. 2 (Public Law 108–7; House Report 108–10), in the matter in title II of Division G, relating to Aging research, training and demonstrations under the heading “Aging Services Programs”

- the provision specifying \$850,000 for the Jewish Federation of Greater Washington shall be deemed to read as follows: “\$1,200,000 to the Jewish Federation of Greater Washington in Montgomery County, MD to establish a Naturally Occurring Retirement Communities (NORCs) demonstration project providing supportive services to seniors.”; and
- the provision specifying \$1,200,000 for the Jewish Family and Children’s Service, Minneapolis, MN shall be deemed to read as follows: “\$850,000 for the Jewish Family and Children’s Service, Minneapolis, MN, for programs for seniors in Naturally Occurring Retirement Community”.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The Committee recommendation includes bill language making a technical correction to the Public Health and Social Service Emergency Fund.

GENERAL PROVISION

INTERNATIONAL HEALTH ACTIVITIES

The Committee recommendation includes a new general provision making a technical correction regarding international health activities.

DEPARTMENT OF EDUCATION

SCHOOL IMPROVEMENT PROGRAMS

The Committee recommendation includes bill language making technical corrections to numerous projects funded in the Fund for the Improvement of Education. Also included are bill language program technical corrections.

HIGHER EDUCATION

The Committee recommendation includes bill language making technical corrections to numerous projects funded in the Fund for the Improvement of Postsecondary Education.

GENERAL PROVISION

The Committee has included a provision which raises the maximum age from 17 to 19 for students participating in the federally funded Advanced Placement program.

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICES

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

The Committee recommendation includes bill language making technical corrections in the Domestic Volunteer Service program.

CHAPTER 6

SUBCOMMITTEE ON THE LEGISLATIVE BRANCH

CAPITOL POLICE

This provision reinserts the effective date relative to section 1015 of Public Law 108-7.

CHAPTER 7

SUBCOMMITTEE ON TRANSPORTATION, TREASURY AND GENERAL
GOVERNMENT

DEPARTMENT OF TRANSPORTATION

The Committee recommendation includes a provision making a technical correction to Section 336 of Division I of Public Law 108-7.

The Committee recommendation includes a provision making technical corrections to Section 321 of Division I of Public Law 108-7.

The Committee recommendation includes a provision to permit rural areas that became part of an urbanized area as a result of the 2000 census to use funds made available to carry out section 5307 of title 49 for operating assistance during fiscal year 2003.

CHAPTER 8

SUBCOMMITTEE ON VETERANS AFFAIRS AND HOUSING AND URBAN
DEVELOPMENT AND INDEPENDENT AGENCIES

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

The recommendation makes several technical corrections to grants.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

The recommendation clarifies the intent of Congress that the General Counsel of the Department of Housing and Urban Development retains responsibility for appropriation issues while acknowledging a new division on Antideficiency Act violations within the HUD Office of the CFO.

INDEPENDENT AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

The Committee has included language for the Corporation for National and Community Service ("Corporation") to provide a deficiency appropriation of up to \$64,000,000 to liquidate obligations incurred in previous years. The Administration submitted this request on March 5, 2003 to the Congress. The Committee has included this deficiency language to ensure that AmeriCorps participants receive their earned education award. Nevertheless, the Committee believes that the Corporation must provide a detailed and thorough explanation regarding the root causes of this deficiency before any funds are to be made available. Accordingly, the Committee makes the availability of these funds contingent on the Corporation submitting a report in accordance with the require-

ments of the Antideficiency Act and the guidance included in OMB Circular A-11.

The Committee has also included a technical correction for administrative funds previously appropriated in the Consolidated Appropriations Resolution, 2003 (Public Law 108-7).

TITLE III—COLUMBIA ORBITER MEMORIAL ACT

The recommendation allows the construction of a memorial marker honoring the seven members of the crew of the Columbia Orbiter who died on February 1, 2003, over the State of Texas during the landing of space shuttle mission STS-107.

The recommendation provides \$500,000 from available funds for the construction of the memorial marker and provides the Administrator of the National Aeronautics and Space Administration the authority to accept gifts and donations for this purpose.

TITLE IV—AVIATION INDUSTRY RELIEF PROVISIONS

SEC. 401. Provides for a 6-month suspension of the security service fees authorized by section 44940(a) of Title 49, United States Code.

SEC. 402. Provides \$1,000,000,000 to the Department of Transportation for reimbursement to air carriers for security costs resulting from government action, subject to cost certification.

SEC. 403. Provides \$100,000,000 to the Department of Transportation to reimburse air carriers for cockpit door reinforcement.

SEC. 404. Provides \$375,000,000 to the Department of Transportation to assist airports in meeting operating and capital expenses related to mandated security-related improvements.

SEC. 405. Includes a provision further extending for a 1-year period the War Risk Insurance provisions contained in Public Law 107–296.

SEC. 406. Includes a provision making War Risk Insurance provisions available only to air carriers that comply with specified executive compensation limitations.

SEC. 407. Includes a provision requiring the Comptroller General to submit semi-annual reports regarding airline actions to improve finances and on executive compensation.

SEC. 408. Includes a provision requiring air carriers receiving assistance under this Act to submit cost expenditure plans to the Comptroller General.

SEC. 409. Includes a provision to provide 26 weeks of extended unemployment benefits to eligible aviation industry workers as defined in the bill.

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE
STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, the accompanying bill was ordered reported from the Committee by recorded vote of 29–0, a quorum being present.

Yeas	Nays
Chairman Stevens	
Mr. Cochran	
Mr. Specter	
Mr. Domenici	
Mr. Bond	
Mr. McConnell	
Mr. Burns	
Mr. Shelby	
Mr. Gregg	
Mr. Bennett	
Mr. Campbell	
Mr. Craig	
Mrs. Hutchison	
Mr. DeWine	
Mr. Brownback	
Mr. Byrd	
Mr. Inouye	
Mr. Hollings	
Mr. Leahy	
Mr. Harkin	
Ms. Mikulski	
Mr. Reid	
Mr. Kohl	
Mrs. Murray	
Mr. Dorgan	
Mrs. Feinstein	
Mr. Durbin	
Mr. Johnson	
Ms. Landrieu	

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE
STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which

would be made by the bill or joint resolution if enacted in the form recommended by the committee.”

In compliance with this rule, the following changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in *Italics*; and existing law in which no change is proposed is shown in Roman.

With respect to this bill, it is the opinion of the Committee that it is necessary to dispense with these requirements in order to expedite the business of the Senate.

COMPARATIVE STATEMENT OF NEW BUDGET (OPTIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
 [In thousands of dollars]

Doc. No.		Supplemental estimate	Committee recommendation	Committee recommendation compared with supplemental estimate (+ or -)
	TITLE 1			
	SUPPLEMENTAL APPROPRIATIONS			
	CHAPTER 1			
	AGRICULTURAL PROGRAMS			
	Agricultural Research Service		98,000	+ 98,000
	Buildings and facilities			
	Total, Chapter 1		98,000	+ 98,000
	Appropriations		(98,000)	(+ 98,000)
	CHAPTER 2			
	DEPARTMENT OF JUSTICE			
	General Administration	500,000	500,000	
108-55	Counterterrorism fund			
	DEPARTMENT OF STATE AND RELATED AGENCY			
	Administration of Foreign Affairs			
	Diplomatic and consular programs	101,420	93,420	- 8,000
108-55	Embassy security, construction, and maintenance	20,000	82,000	+ 62,000
108-55	Emergencies in the diplomatic and consular service	65,708	40,000	- 25,708
	Total, Administration of Foreign Affairs	187,128	215,420	+ 28,292
	RELATED AGENCIES			
	Broadcasting Board of Governors			
108-55	International Broadcasting Operations	30,500	62,000	+ 31,500

	717,628 (717,628)	777,420 (777,420)	+ 59,792 (+ 59,792)
Total, Chapter 2 Appropriations	717,628 (717,628)	777,420 (777,420)	+ 59,792 (+ 59,792)
CHAPTER 3 DEPARTMENT OF DEFENSE—MILITARY Military Personnel			
Military Personnel, Army	7,724,500	+ 7,724,500
Military Personnel, Navy	1,784,300	+ 1,784,300
Military Personnel, Marine Corps	1,254,900	+ 1,254,900
Military Personnel, Air Force	2,834,800	+ 2,834,800
Reserve Personnel, Army	6,000	+ 6,000
National Guard Personnel, Army	110,000	+ 110,000
Total, Military Personnel	13,714,500	+ 13,714,500
Operation and Maintenance			
Operation and Maintenance, Army	16,142,500	+ 16,142,500
Operation and Maintenance, Navy	5,296,600	+ 5,296,600
Operation and Maintenance, Marine Corps	1,752,700	+ 1,752,700
Operation and Maintenance, Air Force	7,209,200	+ 7,209,200
Operation and Maintenance, Defense-Wide	4,007,700	+ 2,607,700
Operation and Maintenance, Navy Reserve	15,000	+ 15,000
Operation and Maintenance, Marine Corps Reserve	50,000	+ 50,000
Operation and Maintenance, Army National Guard	88,400	+ 88,400
Operation and Maintenance, Air National Guard	20,000	+ 20,000
Natural Resources Risk Remediation Fund	489,300	.....
Total, Operation and Maintenance	35,071,400	+ 33,182,100
Procurement			
Aircraft Procurement, Army	4,100	+ 4,100
Missile Procurement, Army	3,100	+ 3,100
Procurement of Weapons and Tracked Combat Vehicles, Army	53,300	+ 53,300
Procurement of Ammunition, Army	447,500	+ 447,500
Other Procurement, Army	241,800	+ 241,800
Other Procurement, Air Force	113,600	+ 113,600
Procurement, Defense-Wide	451,000	+ 451,000
Total, Procurement	1,314,400	+ 1,314,400

108-55

108-55

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued
 [In thousands of dollars]

Doc. No.		Supplemental estimate	Committee recommendation	Committee recommendation compared with supplemental estimate (+ or -)
—	Research, Development, Test and Evaluation, Army	.....	11,500	+ 11,500
108-55	Defense Working Capital Funds	430,000	550,000	+ 120,000
—	Defense Health Programs	.....	501,700	+ 501,700
108-55	Drug Interdiction and Counter-Drug Activities, Defense	34,000	34,000	.....
108-55	Defense emergency response fund	59,863,200	11,019,000	- 48,844,200
	Total, Other Department of Defense Programs	59,897,200	11,554,700	- 48,342,500
	Chapter 2 General Provisions			
108-55	Additional transfer authority (Public Law 107-248, (Sec. 8005) (Sec. 303)	(5,100,000)	(3,500,000)	(- 1,600,000)
108-55	Afghanistan Freedom Support (Sec. 304)	165,000	165,000	.....
108-55	Operation and maintenance, Army	(35,000)	(35,000)	.....
108-55	Operation and maintenance, Navy	(75,000)	(75,000)	.....
108-55	Operation and maintenance, Air Force	(55,000)	(55,000)	.....
	Total, General Provisions	165,000	165,000	.....
	Total, Chapter 3	62,381,500	62,381,500	.....
	Appropriations	(62,381,500)	(62,381,500)	.....
	CHAPTER 4			
	DEPARTMENT OF DEFENSE—CIVIL DEPARTMENT OF THE ARMY			
	Corps of Engineers—Civil			
—	Operation and maintenance, general	.....	29,000	+ 29,000

	DEPARTMENT OF THE INTERIOR			
	Bureau of Reclamation		25,000	+ 25,000
	DEPARTMENT OF ENERGY			
	Energy Programs		1,000	+ 1,000
	Atomic Energy Defense Activities			
	National Nuclear Security Administration:			
	Weapons activities		19,000	+ 19,000
	Defense nuclear nonproliferation		55,000	+ 55,000
	Subtotal, National Nuclear Security Administration		74,000	+ 74,000
	Defense environmental restoration and waste management		6,000	+ 6,000
	Other defense activities		18,000	+ 18,000
	Total, Atomic Energy Defense Activities		99,000	+ 99,000
	Total, Chapter 4		153,000	+ 153,000
	Appropriations		(153,000)	(+ 153,000)
	CHAPTER 5			
	BILATERAL ECONOMIC ASSISTANCE			
	Funds Appropriated to the President			
	United States Agency for International Development			
108-55	Child survival and health programs fund	40,000	90,000	+ 50,000
108-55	International disaster assistance	80,000	112,500	+ 32,500
108-55	Loan Guarantees to Israel:			
	(Limitation on guaranteed loans)	(9,000,000)	(9,000,000)	
108-55	Operating expenses of the U.S. Agency for International Development	22,000	23,600	+ 1,600
108-55	(Transfer to U.S. AID Office of Inspector General)	(- 2,000)	(- 2,000)	
108-55	Operating expenses of U.S. Agency for International Development Office of Inspector General (By transfer)	(2,000)	(2,000)	
	Total, United States AID	142,000	226,100	+ 84,100

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued
 [In thousands of dollars]

Doc. No.		Supplemental estimate	Committee recommendation	Committee recommendation compared with supplemental estimate (+ or -)
	Other Bilateral Economic Assistance			
	Economic Support Fund:			
108-55	Economic support fund	2,442,000	2,357,900	- 84,100
108-55	Loan Guarantees to Egypt: (Limitation on guaranteed loans)	(2,000,000)	(2,000,000)	.....
108-55	Loan Guarantees to Turkey: (Limitation on guaranteed loans)	(8,500,000)	(8,500,000)	.....
108-55	U.S. Emergency Fund for Complex Foreign Crises	150,000	150,000	.....
	Total, Other Bilateral Economic Assistance	2,592,000	2,507,900	- 84,100
	INDEPENDENT AGENCIES			
	Department of State			
108-55	International narcotics control and law enforcement	25,000	25,000	.....
108-55	Andean Counterdrug Initiative	34,000	34,000	.....
108-55	United States Emergency Refugee and Migration Assistance Fund	50,000	75,000	+ 25,000
108-55	Nonproliferation, anti-terrorism, demining and related programs	28,000	28,000	.....
	Subtotal, Department of State	137,000	162,000	+ 25,000
	MILITARY ASSISTANCE			
	Funds Appropriated to the President			
108-55	Foreign Military Financing Program	2,059,100	2,059,100	.....
108-55	Peacekeeping operations	200,000	150,000	- 50,000
	Total, Funds Appropriated to the President	2,259,100	2,209,100	- 50,000
	OTHER BILATERAL ECONOMIC ASSISTANCE			
	FUNDS APPROPRIATED TO THE PRESIDENT			
108-55	Iraq Relief and Reconstruction Fund	2,443,300	2,468,300	+ 25,000
108-55	(Transfer out)	(- 200,000)	.....	(+ 200,000)

108-55	Total, Chapter 5	7,573,400	7,573,400	.....
	Appropriations	(7,573,400)	(7,573,400)	.....
	(By transfer)	(2,000)	(2,000)	.....
	(Limitation on guarantee loans)	19,500,000	19,500,000	.....
	CHAPTER 6			
	DEPARTMENT OF HOMELAND SECURITY			
	Departmental Management			
	Counterterrorism fund	1,500,000	1,135,000	- 365,000
108-55	Border and Transportation Security	2,000,000	2,000,000	.....
	Coast Guard			
—	Operating expenses		580,000	+ 580,000
	Total, Chapter 6	3,500,000	3,715,000	+ 215,000
	Appropriations	(3,500,000)	(3,715,000)	(+ 215,000)
	CHAPTER 7			
	DEPARTMENT OF HEALTH AND HUMAN SERVICES			
	Office of the Secretary			
—	Public Health and Social Services emergency fund		35,000	+ 35,000
	Total, Chapter 7		35,000	+ 35,000
	Appropriations		35,000	+ 35,000
			(35,000)	(+ 35,000)
	CHAPTER 8			
	LEGISLATIVE BRANCH			
	Capitol Police			
108-55	Legislative Branch Emergency Response Fund	125,000		- 125,000
	General expenses		38,165	+ 38,165
	Salaries and expenses		111	+ 111

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

[In thousands of dollars]

Doc. No.		Supplemental estimate	Committee recommendation	Committee recommendation compared with supplemental estimate (+ or -)
	Architect of the Capitol			
	Capitol Buildings and Grounds			
	General administration		18,672	+ 18,672
	Capitol building		1,100	+ 1,100
	Capitol Power Plant		14,600	+ 14,600
	Capitol police buildings and grounds		40,140	+ 40,140
	Total, Architect of the Capitol		74,512	+ 74,512
	Library of Congress			
	Salaries and expenses		5,500	+ 5,500
	Congressional Research Service, salaries and expenses		1,863	+ 1,863
	Total, Library of Congress		7,363	+ 7,363
	General Accounting Office			
	Salaries and expenses		4,849	+ 4,849
	Total, Chapter 8	125,000	125,000	
	Appropriations	(125,000)	(125,000)	
	CHAPTER 9			
	DEPARTMENT OF DEFENSE			
108-55	Military construction, Navy	48,100	48,100	
108-55	Military construction, Air Force	129,400	127,400	- 2,000
	Total, Military Construction	177,500	175,500	- 2,000
	Family housing, Air Force: Operation and maintenance		2,000	+ 2,000

Total, Chapter 9	177,500	177,500	.....
Appropriations	(177,500)	(177,500)	.....
CHAPTER 10			
DEPARTMENT OF TRANSPORTATION			
Maritime Administration			
Maritime Guaranteed Loan (Title XI) Program Account: Guaranteed loans subsidy .....	.....	50,000	+ 50,000
EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT			
Unanticipated needs: Emergency Response Fund	250,000	.....	- 250,000
Total, Chapter 10	250,000	50,000	- 200,000
Appropriations	(250,000)	(50,000)	(- 200,000)
Total, title I	74,725,028	75,085,820	+ 360,792
New budget (obligational) authority	74,725,028	75,085,820	+ 360,792
Appropriations	(74,725,028)	(75,085,820)	(+ 360,792)
(By transfer)	(2,000)	(2,000)	.....
(Limitation on guarantee loans)	19,500,000	19,500,000	.....
TITLE II			
MISCELLANEOUS AND TECHNICAL CORRECTIONS			
CHAPTER 2			
DEPARTMENT OF JUSTICE			
Office of Justice Programs			
Juvenile justice programs .....	.....	529	+ 529
Rescission .....	.....	- 100	- 100
Subtotal, Juvenile Justice Programs .....	.....	429	+ 429
DEPARTMENT OF COMMERCE			
National Oceanic and Atmospheric Administration			
Procurement, acquisition and construction .....	.....	106,060	+ 106,060

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued
 [In thousands of dollars]

Doc. No.		Supplemental estimate	Committee recommendation	Committee recommendation compared with supplemental estimate (+ or -)
	Equal Employment Opportunity Commission			
—	Salaries and expenses		23,300	+ 23,300
	National Commission on Terrorism Attacks Upon the United States			
—	Salaries and expenses		11,000	+ 11,000
	Total, Chapter 2		140,789	+ 140,789
	Appropriations		(140,789)	(+ 140,789)
	CHAPTER 4			
	DEPARTMENT OF THE INTERIOR			
	National Park System			
—	Operation of the National Park System		9,000	+ 9,000
	CHAPTER 5			
	DEPARTMENT OF LABOR			
	Employment and Training Administration			
—	Training and employment services		1,000	+ 1,000
	CHAPTER 8			
	INDEPENDENT AGENCIES			
	Corporation for National and Community Service			
	National and community service programs operating expense:			
	Appropriation for the liquidation of deficiency	(64,000)	(64,000)	
	Portion applied to liquidate deficiencies	(- 64,000)	(- 64,000)	
108-44	Total, Chapter 8			
108-44				

Appropriations (Appropriation for the liquidation of deficiency) (Portion applied to liquidate deficiencies)	(64,000) (-64,000)	(64,000) (-64,000)	
Total, title II		150,789 (150,889) (-100) (64,000) (-64,000)	+150,789 (+150,889) (-100) (-100)
TITLE IV			
AVIATION INDUSTRY RELIEF PROVISIONS			
Reimbursement of Airlines for certain increased security costs (Sec. 402)		1,000,000	+1,000,000
Cockpit door reinforcement reimbursement (Sec. 403)		100,000	+100,000
Airport security-related reimbursement (Sec. 404)		375,000	+375,000
Total, title IV		1,475,000 (1,475,000)	+1,475,000 (+1,475,000)
Grand total:			
New budget (obligational) authority	74,725,028	76,711,609	+1,986,581
Appropriations	(74,725,028)	(76,711,709)	(+1,986,681)
Rescissions		(-100)	(-100)
(Transfer out)	(-202,000)	(-2,000)	(+200,000)
(By transfer)	(2,000)	(2,000)	
(Limitation on guarantee loans)	19,500,000	19,500,000	
(Appropriation for the liquidation of deficiency)	(64,000)	(64,000)	
(Portion applied to liquidate deficiencies)	(-64,000)	(-64,000)	