

H.R. 4711: Ms. SCHAKOWSKY.
 H.R. 4715: Mr. BACA.
 H.R. 4720: Mr. PRICE of North Carolina.
 H.R. 4738: Mr. HALL of Texas and Mr. FOSSELLA.
 H.R. 4748: Mr. McDERMOTT, Ms. McCOLLUM, Mr. WU, and Ms. MCCARTHY of Missouri.
 H.R. 4760: Mr. GREEN of Texas.
 H.R. 4764: Mr. GUTIERREZ, Mrs. NAPOLITANO, and Mr. BONIOR.
 H.R. 4793: Mr. TOWNS.
 H.R. 4840: Mr. PETERSON of Minnesota and Mr. HAYWORTH.
 H.R. 4857: Ms. HARMAN and Ms. WATSON.
 H.R. 4865: Mr. DOYLE.
 H.R. 4939: Mr. SHOWS.
 H.R. 4964: Mr. ENGLISH.
 H.R. 4965: Mr. FLETCHER, Mr. LAHOOD, Mr. BALLENGER, Mrs. CUBIN, Mr. SHADEGG, Mr. COOKSEY, and Mr. RILEY.
 H.R. 5022: Mr. CAMP and Mr. COSTELLO.
 H.R. 5033: Mr. CALVERT, Mrs. NORTHUP, Mr. YOUNG of Florida, Mr. HEFLEY, Mr. PENCE, and Mr. BARR of Georgia.
 H.R. 5047: Mr. DOYLE.
 H.R. 5050: Mr. KOLBE.
 H.R. 5064: Mr. BLUNT, Mr. PENCE, Mr. SOUDER, Mr. DELAY, Mr. RYUN of Kansas, and Ms. PRYCE of Ohio.
 H.R. 5070: Mr. SKELTON, Mrs. CAPPS, Mr. WEXLER, and Mr. BARRETT.
 H.R. 5076: Ms. SCHAKOWSKY.
 H.R. 5081: Mr. LEWIS of California.
 H.R. 5082: Mr. RAHALL.
 H.R. 5090: Mr. RYUN of Kansas, Mr. OTTER, and Mrs. MYRICK.
 H.R. 5095: Mr. MCINNIS.
 H.R. 5100: Mrs. ROUKEMA.
 H.R. 5107: Mr. DINGELL, Ms. KILPATRICK, and Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 5112: Mr. FROST and Ms. BROWN of Florida.
 H.R. 5113: Mr. YOUNG of Alaska.
 H.J. Res. 21: Mrs. CHRISTENSEN.
 H.J. Res. 97: Mr. JACKSON of Illinois.
 H. Con. Res. 60: Mr. LIPINSKI, and Ms. EDDIE BERNICE JOHNSON of Texas.
 H. Con. Res. 114: Mr. RUSH and Ms. BERKLEY.
 H. Con. Res. 127: Mr. KING Mr. NEAL of Massachusetts, Mr. WEXLER, Mr. McNULTY, Mr. DAVIS of Illinois, Mrs. CHRISTENSEN, Mr. McGOVERN, Mr. HONDA, and Ms. BERKLEY.
 H. Con. Res. 182: Mr. FALEOMAVAEGA, Mr. PAYNE, Mr. ENGLISH, Mrs. CHRISTENSEN, AND Mrs. JONES of Ohio.
 H. Con. Res. 199: Ms. NORTON, Mr. BROWN of Ohio, Ms. LEE, Mr. LYNCH, Mr. STRICKLAND, Mrs. CHRISTENSEN, Mr. WATT of North Carolina, and Mr. BACA.
 H. Con. Res. 269: Mr. LEVIN and Mr. SPRATT.
 H. Con. Res. 291: Mr. ROTHMAN.
 H. Con. Res. 349: Ms. SLAUGHTER, Mrs. CAPPS, and Mr. BONIOR.
 H. Con. Res. 367: Mr. RYUN of Kansas, Mr. SMITH of New Jersey, Mr. PETRI, Mr. HAYES, and Mr. HUNTER.
 H. Con. Res. 385: Mr. BACHUS.
 H. Con. Res. 396: Ms. KAPTUR, Mr. PAYNE, Mr. ACEVEDO-VILA, Mr. BRADY of Pennsylvania, Mr. DAVIS of Illinois, and Mr. BACA.
 H. Con. Res. 410: Mr. EHLERS and Mr. MEEKS of New York.
 H. Con. Res. 439: Mrs. THURMAN, Mr. ROSS, Mr. SWEENEY, Mrs. EMERSON, Mr. WATTS of Oklahoma, Ms. KAPTUR, Mrs. BONO, and Mr. KILDEE.
 H. Res. 50: Mrs. MEEK of Florida, Mr. HILLIARD, and Mr. CLYBURN.
 H. Res. 126: Mr. FROST, Mrs. CHRISTENSEN, Ms. WATSON, Mr. KING, Ms. BROWN of Florida, Mr. SABO, Mr. OWENS, Mr. McGOVERN, Ms. BERKLEY, and Mr. BACA.
 H. Res. 253: Ms. BERKLEY.
 H. Res. 410: Mr. GILMAN, Mr. LANTOS, Mr. McGOVERN, Mr. ACKERMAN, Mr. DOYLE, Mr. BERMAN, and Mr. ENGLISH.

H. Res. 437: Mr. SCOTT, Mr. ISSA, Mr. PETERSON of Minnesota, and Mr. SMITH of Texas.

H. Res. 448: Mr. REHBERG, Mr. OSBORNE, Mr. HINOJOSA, and Mr. BACA.

H. Res. 460: Mr. KILDEE, Mr. KENNEDY of Rhode Island, and Mr. OWENS.

H. Res. 482: Mr. GEKAS and Mr. STEARNS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1577: Mr. LUCAS of Oklahoma.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5093

OFFERED BY: MR. BLUMENAUER

AMENDMENT NO. 1: Add at the end, before the short title, the following new section:

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be used to enter into any new commercial agricultural lease on the Lower Klamath and Tule Lake National Wildlife Refuges in the States of Oregon and California that permits the growing of row crops or alfalfa.

H.R. 5093

OFFERED BY: MRS. CAPPS

AMENDMENT NO. 2: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. _____. None of the funds provided in this Act may be expended by the Department of the Interior to approve any exploration plan, any development and production plan, any application for permit to drill or to permit any drilling on Outer Continental Shelf Southern California Planning Area leases numbered OCS-P0443, OCS-P0445, OCS-P0446, OCS-P0449, OCS-P0499, OCS-P0500, OCS-P0210, OCS-P0527, OCS-P0460, OCS-P0464, OCS-P0409, OCS-P0396, OCS-P0397, OCS-P0402, OCS-P0403, OCS-P0408, OCS-P0414, OCS-P0319, OCS-P0320, OCS-P0322, OCS-P0323-A, OCS-P0426, OCS-P0427, OCS-P0432, OCS-P0435, OCS-P0452, OCS-P0453, OCS-P0425, OCS-P0430, OCS-P0431, OCS-P0433, OCS-P0434, OCS-P0415, OCS-P0416, OCS-P0421, and OCS-P0422.

H.R. 5093

OFFERED BY: MR. ISSA

AMENDMENT NO. 3: At the end of the bill (before the short title), insert the following:

SEC. _____. Of the funds appropriated in title I under the heading "Insular Affairs—Assistance to Territories", not more than \$23,012,058 may be made available before September 30, 2003, for grants to the Government of American Samoa.

H.R. 5093

OFFERED BY: MR. ISSA

AMENDMENT NO. 4: At the end of the bill (before the short title), insert the following:

SEC. _____. Of the funds appropriated in title I under the heading "Insular Affairs—Assistance to Territories", not more than \$22,012,058 may be made available before September 30, 2003, for grants to the Government of American Samoa.

H.R. 5093

OFFERED BY: MRS. MINK

AMENDMENT NO. 5: Page 74, after line 23, insert the following new section:

SEC. 142. To the Office of Insular Affairs, for partial reimbursement to the State of

Hawaii for the costs incurred as a result of the Compact of Free Association from increased demands on educational and social services to migrants from the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, \$10,000,000.

H.R. 5093

OFFERED BY: MR. MORAN

AMENDMENT NO. 6: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. _____. None of the funds made available in this Act may be used to implement any sanction imposed by the United States on private commercial sales of agricultural commodities (as defined in section 402 of the Agricultural Trade Development and Assistance Act of 1954) or medicine or medical supplies (within the meaning of section 1705(c) of the Cuban Democracy Act of 1992) to Cuba (other than a sanction imposed pursuant to agreement with one or more other countries).

H.R. 5093

OFFERED BY: MS. NORTON

AMENDMENT NO. 7: Page 113, line 24, after the dollar amount, insert the following: "(reduced by \$5,500,000)".

H.R. 5093

OFFERED BY: MR. SANDERS

AMENDMENT NO. 8: Page 95, line 14, insert "(reduced by \$3,000,000) (increased by \$3,000,000)" after "\$984,653,000".

H.R. 5093

OFFERED BY: MS. SLAUGHTER

AMENDMENT NO. 9: Under the heading "DEPARTMENTAL MANAGEMENT—SALARIES AND EXPENSES" in title I, insert after the dollar amount on page 49, line 16, the following: "(reduced by \$9,000,000)".

Under the heading "NATIONAL FOREST SYSTEM" in title II, insert after the dollar amount on page 76, line 13, the following: "(reduced by \$6,000,000)".

Under the heading "NATIONAL ENDOWMENT FOR THE HUMANITIES—GRANTS AND ADMINISTRATION" in title II, insert after the dollar amount on page 114, line 18, the following: "(increased by \$5,000,000)".

Under the heading "CHALLENGE AMERICA ARTS FUND—CHALLENGE AMERICA GRANTS" in title II, insert after the dollar amount on page 115, line 14, the following: "(increased by \$10,000,000)".

H.R. 5120

OFFERED BY: MR. FLAKE

AMENDMENT NO. 1: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. _____. (a) None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction.

(b) The limitation established in subsection (a) shall not apply to the issuance of general or specific licenses for travel or travel-related transactions, and shall not apply to transactions in relation to any business travel covered by section 515.560(g) of such part 515.

H.R. 5120

OFFERED BY: MR. FLAKE

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to provide any grant, loan, loan guarantee, contract, or other assistance to any entity (including a State or locality, but excluding any Federal entity) identified specifically by name as the recipient in a report of the Committee on Appropriations of the House of Representatives or

the Senate, or in a joint explanatory statement of the committee of conference, accompanying this Act unless the entity is also identified specifically by name as the recipient in this Act.

H.R. 5120

OFFERED BY: MR. MORAN

AMENDMENT No. 3: At the end of title I of the bill, insert after the last section (preceding the short title) the following:

ADDITIONAL GENERAL PROVISIONS—
DEPARTMENT OF THE TREASURY

SEC. 151. Section 620(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)(1)) is amended—

(1) in the first sentence, by striking the period at the end and inserting the following: “, except as needed to promote and facilitate commercial exports of agricultural commodities from the United States to Cuba.”; and

(2) in the second sentence, by striking the period at the end and inserting the following: “, except that any such embargo shall not apply with respect to the commercial export of any agricultural commodity or with respect to travel or financing (or other transactions) incident to the commercial marketing, sale, or delivery of agricultural commodities. As used in this paragraph, the term ‘agricultural commodity’ has the meaning given the term in section 102 of the Agricultural Trade Act of 1978.”.

SEC. 152. Upon the enactment of this Act, any regulation, proclamation, or provision of law, including Presidential Proclamation 3447 of February 3, 1962, the Export Administration Regulations (15 CFR 730 and following), the Cuban Assets Control Regulations (31 CFR 515), and section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)), that authorizes sanctions with respect to Cuba or transactions involving exports to Cuba and that is in effect on the date of the enactment of this Act, shall not apply with respect to the commercial export to Cuba of agricultural commodities, with respect to travel or financing (or other transactions) incident to the commercial marketing, sale, or delivery of agricultural commodities, or with respect to the receipt of payment for agricultural exports.

SEC. 153. After the enactment of this Act, the President may not restrict the commercial exportation to Cuba of agricultural commodities—

(1) under the Export Administration Act of 1979; or

(2) under section 203 of the International Emergency Economic Powers Act.

SEC. 154. (a) TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT OF 2000.—

(1) INAPPLICABILITY.—The Trade Sanctions Reform and Export Enhancement Act of 2000 (title IX of H.R. 5426, as enacted into law by section 1(a) of Public Law 106-387, and as contained in the appendix of such Public Law) shall not apply with respect to commercial exports to Cuba of agricultural commodities.

(2) CONFORMING AMENDMENTS.—The Trade Sanctions Reform and Export Enhancement Act of 2000 is amended—

(A) in section 906(a)(2)—

(i) by striking “export of agricultural commodities” and inserting “commercial export of agricultural commodities to Cuba, or with respect to the export of agricultural commodities”; and

(ii) by adding at the end the following: “The commercial export of agricultural commodities to Cuba shall be allowed without the issuance of a specific license therefor.”;

(B) in section 908—

(i) by striking subsection (b);

(ii) in subsection (a)—

(I) by striking “PROHIBITION” and all that follows through “(1) IN GENERAL.—” and inserting “IN GENERAL.—”; and

(II) by redesignating paragraph (2) as subsection (b) (and conforming the margin accordingly); and

(IV) by redesignating paragraph (3) as subsection (c) (and conforming the margin accordingly); and

(iii) in subsections (b) and (c) (as redesignated), by striking “paragraph (1)” each place it appears and inserting “subsection (a)”;

(C) in section 910—

(i) in subsection (a), by striking “The Secretary of the Treasury” and all that follows and inserting “The Secretary of the Treasury shall authorize travel to, from, or within Cuba for purposes of the marketing, sale, delivery, or financing of a sale of agricultural commodities to Cuba, and any related transactions thereto, without the issuance of a specific license therefor.”; and

(ii) in subsection (b)(2), by adding at the end before the period the following: “or that does not relate to travel to, from, or within Cuba incident to the marketing, sale, delivery, or financing of a sale of agricultural commodities to Cuba, or any related transactions thereto”.

(b) SANCTIONS UNDER CUBAN DEMOCRACY ACT OF 1992.—

(1) INAPPLICABILITY.—Section 1706(b) of the Cuban Democracy Act of 1992 (22 U.S.C. 6005(b); prohibiting certain vessels from entering United States ports) shall not apply with respect to vessels that transport agricultural commodities to Cuba on a commercial basis or that transport persons whose travel is incident to the delivery of agricultural commodities to Cuba on a commercial basis.

(2) CONFORMING AMENDMENTS.—Section 1705(b) of the Cuban Democracy Act of 1992 (22 U.S.C. 6004(b)) is amended—

(A) in the subsection caption by striking “, DONATIONS” and inserting “, EXPORTS”; and

(B) by striking “donations of food to non-governmental organizations or individuals in Cuba” and inserting “commercial exports of agricultural commodities to Cuba”.

SEC. 155. Subparagraph (A) of section 901(j)(2) of the Internal Revenue Code of 1986 (relating to denial of foreign tax credit, etc., with respect to certain foreign countries) is amended by adding at the end thereof the following new flush sentence:

“Notwithstanding the preceding sentence, this subsection shall not apply to Cuba with respect to income or excess profits taxes paid to Cuba that are attributable to activities with respect to articles permitted to be exported to Cuba, or travel or financing (or other transactions) incident thereto that is permitted, by virtue of the enactment of the Treasury Department Appropriations Act, 2003. The preceding sentence shall apply after the date which is 60 days after the date of the enactment of this sentence.”.

SEC. 156. (a) STUDY.—The Secretary of Agriculture shall conduct a study of United States agricultural export promotion and credit programs in effect as of the date of enactment of this Act to determine if changes to current law are needed to improve the ability of the Secretary of Agriculture to utilize United States agricultural export promotion and credit programs with respect to the consumption of United States agricultural commodities in Cuba, and to otherwise enhance, assist, and remove any limitations on, commercial sales and other agricultural exports to Cuba.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the

Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the results of the study conducted under subsection (a).

SEC. 157. In this title, the term “agricultural commodity” has the meaning given the term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

H.R. 5120

OFFERED BY: MS. NORTON

AMENDMENT No. 4: AT THE END OF THE BILL (BEFORE THE SHORT TITLE), INSERT THE FOLLOWING:

SEC. _____. None of the funds made available in this Act may be used to maintain the closure to public traffic of E Street, NW, in the District of Columbia, south of the White House.

H.R. 5120

OFFERED BY: MR. RANGEL

AMENDMENT No. 5: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. _____. None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104-114), except those provisions that relate to the denial of foreign tax credits or to the implementation of the Harmonized Tariff Schedule of the United States.

H.R. 5120

OFFERED BY: MR. RANGEL

AMENDMENT No. 6: In title I, in the item relating to “TAX LAW ENFORCEMENT”, after the aggregate dollar amount, insert the following: “(increased by \$9,000,000)”.

In title I, in the item relating to “EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE”, after the aggregate dollar amount, insert the following: “(reduced by \$10,000,000)”.

H.R. 5120

OFFERED BY: MR. SANDERS

AMENDMENT No. 7: At the end of the bill before the short title, insert the following new section:

SEC. _____. None of the funds appropriated by this Act may be used by the Internal Revenue Service for any activity that is in contravention of Internal Revenue Service Notice 96-8 issued on January 18, 1996, section 411(b)(1)(H)(i) or section 411(d)(6) of the Internal Revenue Code of 1986, section 204(b)(1)(G) or 204(b)(1)(H)(i) of the Employee Retirement Income Security Act of 1974, or section 4(i)(1)(A) of the Age Discrimination in Employment Act of 1967.

H.R. 5120

OFFERED BY: MR. WYNN

AMENDMENT No. 8: At the end of the bill (before the short title), insert the following new section:

SEC. _____. (a) CENTRALIZED REPORTING SYSTEM.—Not later than 180 days after the date of the enactment of this Act, each agency shall establish a centralized reporting system in accordance with guidance promulgated by the Office of Management and Budget that allows the agency to generate periodic reports on the contracting efforts of the agency. Such centralized reporting system shall be designed to enable the agency to generate reports on efforts regarding both contracting out and contracting in.

(b) REPORTS ON CONTRACTING EFFORTS.—(1) Not later than 180 days after the date of the enactment of this Act, every agency shall generate and submit to the Director of the Office of Management and Budget a report on the contracting efforts of the agency undertaken during the 2 fiscal years immediately preceding the fiscal year during

which this Act is enacted. Such report shall comply with the requirements in paragraph (3).

(2) For the current fiscal year and every fiscal year thereafter, every agency shall complete and submit to the Director of the Office of Management and Budget a report on the contracting efforts undertaken by the agency during the current fiscal year. Such reports shall comply with the requirements in paragraph (3), and shall be completed and submitted not later than the end of the first fiscal quarter of the subsequent fiscal year.

(3) The reports referred to in this subsection shall include the following information with regard to each contracting effort undertaken by the agency:

(A) The contract number and the Federal supply class or service code.

(B) A statement of why the contracting effort was undertaken and an explanation of what alternatives to the contracting effort were considered and why such alternatives were ultimately rejected.

(C) The names, addresses, and telephone numbers of the officials who supervised the contracting effort.

(D) The competitive process used or the statutory or regulatory authority relied on to enter into the contract without public-private competition.

(E) The cost of Federal employee performance at the time the work was contracted out (if the work had previously been performed by Federal employees).

(F) The cost of Federal employee performance under a Most Efficient Organization plan (if the work was contracted out through OMB Circular A-76).

(G) The anticipated cost of contractor performance, based on the award.

(H) The current cost of contractor performance.

(I) The actual savings, expressed both as a dollar amount and as a percentage of the cost of performance by Federal employees, based on the current cost, and an explanation of the difference, if any.

(J) A description of the quality control process used by the agency in connection with monitoring the contracting effort, identification of the applicable quality control standards, the frequency of the preparation of quality control reports, and an assessment of whether the contractor met, exceeded, or failed to achieve the quality control standards.

(K) The number of employees performing the contracting effort under the contract and any related subcontracts.

(c) **REPORT ON CONTRACTING EFFORTS.**—(1) For the current fiscal year and every fiscal year thereafter, every agency shall complete and submit to the Director of the Office of Management and Budget a report on the contracting efforts undertaken by the agency during the current fiscal year. Such reports shall comply with the requirements in paragraph (2), and shall be completed and submitted not later than the end of the first fiscal quarter of the subsequent fiscal year.

(2) The reports referred to in paragraph (1) shall include the following information for

each contracting in effort undertaken by the agency:

(A) A description of the type of work involved.

(B) A statement of why the contracting in effort was undertaken.

(C) The names, addresses, and telephone numbers of the officials who supervised the contracting in effort.

(D) The cost of performance at the time the work was contracted in.

(E) The current cost of performance by Federal employees or military personnel.

(d) **REPORT ON EMPLOYEE POSITIONS.**—Not later than 30 days after the end of the current fiscal year and every fiscal year thereafter, every agency shall report on the number of Federal employee positions and positions held by non-Federal employees under a contract between the agency and an individual or entity that has been subject to public-private competition.

(e) **COMMITTEES TO WHICH REPORTS MUST BE SUBMITTED.**—The reports referred to in this section shall be submitted to the Committee on Government Reform of the House of Representatives and to the Committee on Governmental Affairs of the Senate.

(f) **PUBLICATION.**—The Director of the Office of Management and Budget shall promptly publish in the Federal Register notices including a description of when the reports referred to in this section are available to the public and the names, addresses, and telephone numbers of the officials from whom the reports may be obtained.

(g) **AVAILABILITY ON INTERNET.**—After the excision of proprietary information, the reports referred to in this section shall be made available through the Internet.

(h) **REVIEW.**—The Director of the Office of Management and Budget shall review the reports referred to in this section and consult with the head of the agency regarding the content of such reports.

(i) **DEFINITIONS.**—As used in this section:

(1) The term “employee” means any individual employed—

(A) as a civilian in a military department (as defined in section 102 of title 5, United States Code);

(B) in an executive agency (as defined in section 105 of title 5, United States Code), including an employee who is paid from non-appropriated funds;

(C) in those units of the legislative and judicial branches of the Federal Government having positions in the competitive service;

(D) in the Library of Congress;

(E) in the Government Printing Office; or

(F) by the Governors of the Federal Reserve System.

(2) The term “agency” means any department, agency, bureau, commission, activity, or organization of the United States, that employs an employee (as defined in paragraph (1)).

(3) The term “non-Federal personnel” means employed individuals who are not employees, as defined in paragraph (1).

(4) The term “contractor” means an individual or entity that performs a function for an agency under a contract with non-Federal personnel.

(5) The term “privatization” means the end result of the decision of an agency to exit a business line, terminate an activity, or sell Government owned assets or operational capabilities to the non-Federal sector.

(6) The term “outsourcing” means the end result of the decision of an agency to acquire services from external sources, either from a non-Federal source or through interservice support agreements, through a contract.

(7) The term “contracting out” means the conversion by an agency of the performance of a function to the performance by a non-Federal employee under a contract between an agency and an individual or other entity.

(8) The term “contracting in” is the conversion of the performance of a function by non-Federal employees under a contract between an agency and an individual or other entity to the performance by employees.

(9) The term “contracting” means the performance of a function by non-Federal employees under a contract between an agency and an individual or other entity. The term “contracting”, as used throughout this Act, includes privatization, outsourcing, contracting out, and contracting, unless otherwise specifically provided.

(10)(A) Subject to subparagraph (B), the term “critical for the provision of patient care” means direct patient medical and hospital care that the Department of Veterans Affairs or other Federal hospitals or clinics are not capable of furnishing because of geographical inaccessibility, medical emergency, or the particularly unique type of care or service required.

(B) The term does not include support and administrative services for hospital and clinic operations, including food service, laundry services, grounds maintenance, transportation services, office operations, and supply processing and distribution services.

(j) **APPROPRIATION.**—There is appropriated \$2,000,000 for fiscal year 2003 to carry out this section, to be derived by transfer from the amount appropriated in title I of this Act for “Internal Revenue Service—Tax Law Enforcement”. The Director of the Office of Management and Budget shall allocate such amount among the appropriate accounts, and shall submit to the Congress a report setting forth such allocation.

(k) **APPLICABILITY.**—(1) The provisions of this section shall apply to fiscal year 2003 and each fiscal year thereafter.

(2) This section—

(A) does not apply with respect to the General Accounting Office;

(B) does not apply with respect to depot-level maintenance and repair of the Department of Defense (as defined in section 2460 of title 10, United States Code); and

(C) does not apply with respect to contracts for the construction of new structures or the remodeling of or additions to existing structures, but shall apply to all contracts for the repair and maintenance of any structures.