

Panel I: The Honorable Viet Dinh, Assistant Attorney General, Office of Legal Policy, Department of Justice, Washington, DC.

Panel II: Collene Campbell, San Juan Capistrano, CA; Earlene Eason, Gary, IN; Jamie Orenstein, New York, NY; Patricia Perry, New York, NY; Duane Lynn, Peoria, AZ; Steve Twist, Phoenix, AZ.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Tuesday, April 8, 2003, at 9:30 a.m., to conduct an oversight hearing on the operations of the Sergeant at Arms, Library of Congress and Congressional Research Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAR AIR, CLIMATE CHANGE, AND NUCLEAR SAFETY

Mr. CORNYN. Mr. President, I ask unanimous consent that the subcommittee on Clean Air, Climate Change, and Nuclear Safety be authorized to meet on Tuesday, April 8 at 2:00 p.m. to conduct a legislative hearing on the Clear Skies Act, S. 484.

The meeting will be held in SD 406.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER AFFAIRS AND PRODUCT SAFETY

Mr. CORNYN. Mr. President, I ask unanimous consent that the subcommittee on Consumer Affairs and Product Safety be authorized to meet on Tuesday, April 8, 2003 at 10 a.m. on promoting corporate responsibility through the elimination of dividend taxation.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE AND THE DISTRICT OF COLUMBIA

Mr. CORNYN. Mr. President, I ask unanimous consent that the subcommittee on Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia be authorized to meet on Tuesday, April 8, 2003 at 9:30 a.m. for a hearing entitled "The Human Capital Challenge: Offering Solutions and Delivering Results" to review the federal government's strategic human capital management and consider pending legislation on the federal workforce.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 8, 2003 at 2:30 p.m., in open and possibly closed session, to receive testimony on strategic forces and policy in review of the

defense authorization request for fiscal year 2004.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent for floor privileges during the consideration of the CARE Act for Tyler Garnett and Shawn White.

The PRESIDING OFFICER. Without objection, it is so ordered.

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003

On April 7, 2003, the Senate amended and passed H.R. 1559, as follows:

Resolved, That the bill from the House of Representatives (H.R. 1559) entitled "An Act making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

AGRICULTURAL PROGRAMS

AGRICULTURAL RESEARCH SERVICE

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities", \$98,000,000, to remain available until expended.

PUBLIC LAW 480 TITLE II GRANTS

(INCLUDING TRANSFER OF FUNDS)

For additional expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior year's costs, including interest thereon, under the Agricultural Trade Development Act of 1954, \$600,000,000, to remain available until expended, for commodities supplied in connection with dispositions abroad under title II of said Act: Provided, That of this amount, \$155,000,000 shall be used to restore funding for previously approved fiscal year 2003 programs under section 204(a)(2) of the Agricultural Trade Development and Assistance Act of 1954: Provided further, That of the funds provided under this heading, the Secretary of Agriculture shall transfer to the Commodity Credit Corporation such sums as are necessary to acquire, and shall acquire, a quantity of commodities for use in administering the Bill Emerson Humanitarian Trust in an amount equal to the quantity allocated by the Corporation pursuant to the release of March 19, 2003, and the release of March 20, 2003: Provided further, That the authority contained in 7 U.S.C. 1736f-1(c)(4) shall not apply during fiscal year 2003 for any release of commodities after the date of enactment of this Act.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 101. TECHNICAL ASSISTANCE FOR CONSERVATION PROGRAMS. (a) IN GENERAL.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (b) and inserting the following:

"(b) TECHNICAL ASSISTANCE.—

"(1) IN GENERAL.—Effective beginning on the date of enactment of the Agricultural Assistance Act of 2003, subject to paragraph (2), Commodity Credit Corporation funds made available under paragraphs (4) through (7) of subsection (a) shall be available for the provision of technical

assistance (subject to section 1242) for the conservation programs specified in subsection (a).

"(2) CONSERVATION SECURITY PROGRAM.—Effective for fiscal year 2004 and subsequent fiscal years, Commodity Credit Corporation funds made available to carry out the conservation security program under subsection (a)(3)—

"(A) shall be available for the provision of technical assistance for the conservation security program; and

"(B) shall not be available for the provision of technical assistance for conservation programs specified in subsection (a) other than the conservation security program."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on February 20, 2003.

SEC. 102. REPORT ON BILL EMERSON HUMANITARIAN TRUST AND FUTURE OF UNITED STATES FOOD AID. Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture (in coordination with the Administrator of the Agency for International Development) shall submit to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Subcommittees on Agriculture, Rural Development, and Related Agencies of the Committees on Appropriations of the House of Representatives and the Senate, a report that describes—

(1) the policy of the Secretary with respect to the Bill Emerson Humanitarian Trust established under the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1 et seq.), including whether that policy includes an intent to replenish the Trust; and

(2)(A) the means by which the Secretary proposes to ensure that the United States retains the long-term strategy and capability to respond to emergency international food shortages; and

(B) whether, and to what extent, other food aid programs conducted by the Secretary and the Administrator will be a part of that strategy.

CHAPTER 2

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

DETENTION TRUSTEE

For an additional amount for "Detention Trustee" for the detention of Federal prisoners in the custody of the United States Marshals Service, \$45,000,000, to remain available until September 30, 2003.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY LAW ENFORCEMENT SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to administer and support joint Federal, State, local, and foreign law enforcement activities, including the design, development, test, deployment, maintenance, upgrade, or retirement of systems; the purchase, lease, loan, or maintenance of equipment and vehicles; the design, construction, maintenance, upgrade, or demolition of facilities; and travel, overtime, and other support, \$72,000,000, which shall remain available until December 31, 2003: Provided, That the funds provided under this heading shall be managed only by the Attorney General or the Deputy Attorney General to be transferred to, and merged with, any appropriations account under this title: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003, and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for "Federal Bureau of Investigation", \$63,000,000, to remain available until December 31, 2003, of which \$13,380,000 shall be for language translation

needs, of which \$20,270,000 shall be for the Federal Bureau of Investigation participation in the Terrorist Threat Integration Center, and of which \$29,350,000 shall be for the incorporation of the Foreign Terrorist Tracking Task Force into the Terrorist Threat Integration Center: Provided, That the funds provided under this heading shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003.

CONSTRUCTION

For an additional amount for "Federal Bureau of Investigation, Construction", \$10,000,000, to remain available until September 30, 2004, to accelerate construction and fit out of the new wing of the Engineering Research Facility.

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For an additional amount for "State and Local Law Enforcement Assistance", \$91,000,000, to remain available until December 31, 2003, for the terrorism prevention and response training for law enforcement and other responders for increased costs associated with heightened homeland security alerts and law enforcement needs related to the temporary replacement of veteran officers called to duty: Provided, That the funds provided under this heading shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003.

COMMUNITY ORIENTED POLICING SERVICES

For an additional amount for "Community Oriented Policing Services", \$109,500,000, to remain available until December 31, 2003, shall be for the Community Oriented Policing Services, Interoperable Communications Technology Program, for grants to States and localities to improve communications within and among law enforcement agencies: Provided, That the funds provided under this heading shall not be available for obligation or expenditure except in compliance with the procedures set forth in 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

For an additional amount for "Diplomatic and Consular Programs", \$83,420,000: Provided, That \$15,600,000, to remain available until December 31, 2003, shall only be available for medical services: Provided further, That \$2,000,000 shall only be available for the Consular Affairs requirements relating to American citizen services: Provided further, That \$30,020,000 shall only be available for Machine Readable Visa fee shortfalls affecting the Border Security Program: Provided further, That notwithstanding any other provision of law, any shortfall in fee revenue resulting from a decrease in the number of visa applications to the United States shall be offset by a direct transfer of funds equal to the amount of the shortfall from the Diplomatic and Consular Programs general account to the Appropriations Point Delimitator Account Number X0113.6: Provided further, That \$35,800,000 shall only be available for costs associated with the re-establishment of a United States diplomatic presence in Baghdad, Iraq, of which \$17,900,000 is for operational requirements, including housing, furniture, sundries, travel, vehicles, and office supplies and furnishings, and \$17,900,000 is for security, of which \$5,300,000 is for information technology, \$1,945,000 is for courier shipments, \$3,789,000 is for temporary duty assignments, and \$2,503,000 is for armored vehicles, spares, and repairs.

In addition, for the costs of worldwide security upgrades, including increased local guard protection, chemical and biological countermeasures, requirements relating to intelligence, the assignment of temporary personnel to United States diplomatic presences, armored vehicles, and the security of the domestic facilities of the Department of State, \$10,000,000, to remain available until December 31, 2003.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for "Embassy Security, Construction, and Maintenance", \$72,000,000: Provided, That of the funds appropriated under this heading, \$20,000,000 shall only be available for capital costs associated with the re-establishment of a United States Diplomatic presence in Baghdad, Iraq: Provided further, That of the funds appropriated under this heading, not less than \$52,000,000 shall be available for the Center for Antiterrorism and Security Training.

In addition, for security enhancements to non-official facilities frequented by United States citizens overseas, including schools attended by the dependents of non-military United States Government personnel, \$10,000,000, to remain available until September 30, 2004.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for "Emergencies in the Diplomatic and Consular Service", \$40,000,000, to remain available until expended: Provided, That the Secretary of State may collect from the head of any other agency of the United States the cost incurred by the Department of State for evacuating an employee of such agency, and any member of the family of such an employee, from a location in a foreign country where the employee is authorized to be in connection with the performance of the employee's official duties: Provided further, That the head of an agency shall pay the Secretary of State the amount certified by the Secretary as the cost of evacuation of that agency's personnel: Provided further, That amounts collected by the Secretary of State under the previous two provisos shall be credited to the appropriation charged such cost, shall be merged with other sums in such appropriation, and shall be available for the same purposes and period as the appropriation to which credited within 60 days of certification by the Secretary of State.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for "International Broadcasting Operations", \$62,000,000, to remain available until September 30, 2004, for activities related to the Middle East Television Network broadcasting and radio broadcasting to Iraq.

CHAPTER 3

DEPARTMENT OF DEFENSE

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$7,724,500,000.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$1,784,300,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$1,254,900,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$2,834,800,000.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$6,000,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$110,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$16,142,500,000.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$5,296,600,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$1,752,700,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$7,209,200,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$4,007,700,000, to remain available until expended, of which \$1,400,000,000, which may be used, notwithstanding any other provision of law, for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical and military-related support provided to the United States in connection with military action in Iraq and the global war on terrorism: Provided, That such payments may be made in such amounts as the Secretary of Defense, with concurrence of the Secretary of State and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States and 15 days following notification to the appropriate congressional committees.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$15,000,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$50,000,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$88,400,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$20,000,000.

NATURAL RESOURCES RISK REMEDIATION FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to address emergency fire fighting, repair of damage to oil facilities and related infrastructure and preserve a distribution capability, \$489,300,000, to remain available until expended: Provided, That the Secretary of Defense may accept from any person, foreign government, or international organization, and credit to this fund, any contribution of money for such purposes: Provided further, That the Secretary of Defense may transfer these funds to other appropriations or funds of the Department of Defense to carry out such purposes, or to reimburse such appropriations or funds for expenses incurred for such purposes: Provided further, That funds so transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation or fund to which transferred: Provided further, That the Secretary of Defense shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees of any transfer of funds from this appropriation: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred

from this appropriation are not necessary for the purposes provided, such amounts may be transferred back to this appropriation.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$4,100,000.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$3,100,000.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$53,300,000.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$447,500,000.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$241,800,000.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$113,600,000.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$451,000,000.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$11,500,000.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Defense Working Capital Funds", \$550,000,000.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$501,700,000.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", \$34,000,000.

DEFENSE EMERGENCY RESPONSE FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Defense Emergency Response Fund", \$11,019,000,000, to remain available until expended for ongoing military operations in Iraq, and those operations authorized by Public Law 107-040, of which not to exceed \$50,000,000, to remain available until September 30, 2003, to support the military operations or activities of foreign nations in furtherance of the global war on terrorism, including equipment, supplies, services, and funding on such terms as the Secretary of Defense, following notification of the congressional defense committees, and with the concurrence of the Secretary of State, may determine: Provided, That the Secretary of Defense may transfer the funds provided herein to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster Assistance, and Civic Aid; procurement; research, development, test and evaluation; military construction; the Defense Health Program; and working capital funds: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further,

That the Secretary of Defense shall submit a report no later than 30 days after the end of each fiscal quarter to the Defense Oversight Committees of the details of any transfer of funds from the "Defense Emergency Response Fund": Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 301. Under the heading, "Operation and Maintenance, Defense-Wide", in title II of the Department of Defense Appropriations Act, 2003 (Public Law 107-248), strike "\$25,000,000" and insert "\$50,000,000". Section 166a of title 10, United States Code, is amended by striking "\$7,000,000" in subsection (e)(1)(A) and inserting "\$15,000,000"; by striking "\$1,000,000" in subsection (e)(1)(B) and inserting "\$10,000,000"; and by striking "\$2,000,000" in subsection (e)(1)(C) and inserting "\$10,000,000".

SEC. 302. Under the heading, "Operation and Maintenance, Defense-Wide", in title II of the Department of Defense Appropriations Act, 2003 (Public Law 107-248), strike "\$34,500,000" and insert "\$45,000,000".

(TRANSFER OF FUNDS)

SEC. 303. Section 8005 of the Department of Defense Appropriations Act, 2003 (Public Law 107-248), is amended—

(1) by striking "\$2,000,000,000", and inserting "\$3,500,000,000"; and

(2) by striking the date "May 31, 2003", and inserting "June 30, 2003".

(TRANSFER OF FUNDS)

SEC. 304. In addition to amounts made available elsewhere in this Act for the Department of Defense, \$165,000,000 is appropriated to the Department of Defense to reimburse applicable appropriations for the value of drawdown support provided by the Department of Defense under the Afghanistan Freedom Support Act of 2002: Provided, That this appropriation shall not increase the limitation set forth in section 202(b) of that Act: Provided further, That the Secretary of Defense may transfer the funds provided herein to the applicable appropriations of the Department of Defense: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense.

SEC. 305. Funds appropriated in this Act, or made available by the transfer of funds in or pursuant to this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

(TRANSFER OF FUNDS)

SEC. 306. Of the amounts available to the Department of Defense, \$63,500,000 may be used to reimburse applicable appropriations for the value of support provided by the Department of Defense under the Iraq Liberation Act of 1998: Provided, That this appropriation shall not increase the limitation set forth in section 4(a)(2)(B) of that Act: Provided further, That the Secretary of Defense may transfer the funds provided herein to the applicable appropriations of the Department of Defense: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense.

SEC. 307. EXPANDED USE OF COOPERATIVE THREAT REDUCTION FUNDS. (a) IN GENERAL.—

(1) Notwithstanding any other provision of law, during fiscal year 2003 the President may use Cooperative Threat Reduction funds, in-

cluding Cooperative Threat Reduction funds for a prior fiscal year that remain available for obligation as of the date of the enactment of this Act, for proliferation threat reduction projects and activities outside the states of the former Soviet Union if the President determines that such projects and activities will:

(A) assist the United States in the resolution of critical emerging proliferation threats; or
(B) permit the United States to take advantage of opportunities to achieve long-standing nonproliferation goals.

(2) The amount that may be obligated under paragraph (1) in each fiscal year for projects and activities described in that paragraph may not exceed \$50,000,000.

(b) AUTHORIZED USES OF FUNDS.—The authority under subsection (a) to use Cooperative Threat Reduction funds for a project or activity includes authority to provide equipment, goods, and services for the project or activity, and shall be subject to 22 U.S.C. Sec. 5955.

SEC. 308. None of the funds provided in this Act may be used to fund a program previously prohibited by the Congress, or to initiate a new procurement or research, development, test and evaluation program without prior notification of the congressional defense committees.

SEC. 309. The Secretary of Defense shall notify the congressional defense committees no later than 15 days after the obligation of funds appropriated in this Act for military construction activities or minor construction in excess of \$7,500,000.

SEC. 310. From funds appropriated in the Department of Defense Appropriations Act, 2003, Public Law 107-248, under the heading "Operation and Maintenance, Air Force", not more than \$6,800,000 is available to build and install fiber optic and power improvements and upgrades at the 11th Air Force Range.

SEC. 311. Section 811(b) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2608; 10 U.S.C. 2406c note) is amended by striking "on or after the date of the enactment of this Act" and inserting "on or after January 1, 2004".

SEC. 312. From funds appropriated in the Department of Defense Appropriations Act, 2003, Public Law 107-248, under the heading "Operation and Maintenance, Army National Guard", not more than \$3,000,000 is available to build an Infantry Brigade Rifle Range for the South Carolina National Guard.

SEC. 313. Appropriations available during fiscal year 2003 under the heading "Operation and Maintenance, Army" for the Air Battle Captain program at the University of North Dakota, may be used to provide summer flight training to United States Military Academy cadets.

SEC. 314. (a) INCREASE IN IMMINENT DANGER SPECIAL PAY.—Section 310(a) of title 37, United States Code, is amended by striking "\$150" and inserting "\$225".

(b) INCREASE IN FAMILY SEPARATION ALLOWANCE.—Section 427(a)(1) of title 37, United States Code, is amended by striking "\$100" and inserting "\$250".

(c) EXPIRATION.—(1) The amendments made by subsections (a) and (b) shall expire on September 30, 2003.

(2) Effective on September 30, 2003, sections 310(a) of title 37, United States Code, and 427(a)(1) of title 37, United States Code, as in effect on the day before the date of the enactment of this Act are hereby revived.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 2002 and shall apply with respect to months beginning on or after that date.

SEC. 315. (a) None of the funds appropriated by this Act may be obligated or expended to reduce the number of American Registry of Pathology personnel used by the Armed Forces Institute of Pathology for programs, projects, and activities of the Institute during fiscal year 2003 below the number of such personnel who are so used as of April 1, 2003.

(b) Of the total amount appropriated by chapter 3 of title I under the heading "Defense Health Program", \$7,500,000 shall be available for the Armed Forces Institute of Pathology.

SEC. 316. Of the funds appropriated in the Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following account and program in the specified amount: "Research, Development, Test and Evaluation, Navy, 2003", \$3,400,000.

SEC. 317. In the case of a member of the Armed Forces who is ill or injured as described in section 411h of title 37, United States Code, as a result of service on active duty in support of Operation Noble Eagle, Operation Enduring Freedom or Operation Iraqi Freedom, the travel and transportation benefits under that section may be provided to members of the family of the ill or injured member without regard to whether there is a determination that the presence of the family member may contribute to the member's health and welfare.

SEC. 318. (a) For a member of the Armed Forces medically evacuated for treatment in a medical facility, or for travel to a medical facility or the member's home station, by reason of an illness or injury incurred or aggravated by the member while on active duty in support of Operation Noble Eagle, Operation Enduring Freedom or Operation Iraqi Freedom, the Secretary of the military department concerned may procure civilian attire suitable for wear by the member during the travel.

(b) The Secretary may not expend more than \$250 for the procurement of civilian attire for any member under subsection (a).

CHAPTER 4

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATIONS AND MAINTENANCE, GENERAL

For an additional amount for homeland security expenses, for "Operations and Maintenance, General", \$29,000,000, to remain available until expended.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for homeland security expenses, for "Water and Related Resources", \$25,000,000, to remain available until expended.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

SCIENCE

For an additional amount for "Science" for expenses necessary to support safeguards and security of nuclear and other facilities and for other purposes, \$11,000,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For an additional amount for "Weapons Activities" for expenses necessary to safeguard nuclear weapons and nuclear material, \$61,000,000, to remain available until expended: Provided, That \$25,000,000 of the funds provided shall be available for secure transportation asset activities: Provided further, That \$36,000,000 of the funds provided shall be available to meet increased safeguards and security needs throughout the nuclear weapons complex.

NUCLEAR NONPROLIFERATION

For an additional amount for "Nuclear Nonproliferation" for expenses necessary to safeguard fissile nuclear material, \$150,000,000, to remain available until expended: Provided, That \$84,000,000 of the funds provided shall be available for the development and deployment of nuclear detectors at mega seaports, in coordination with the Department of Homeland Security Bureau of Customs and Border Protection: Pro-

vided further, That \$17,000,000 of the funds provided shall be available for detection and deterrence of radiological dispersal devices: Provided further, That \$17,000,000 of the funds provided shall be available for nonproliferation assistance to nations other than the Former Soviet Union: Provided further, That \$15,000,000 of the funds provided shall be available for nuclear nonproliferation verification programs, including \$2,500,000 for the Caucasus Seismic Network: Provided further, That \$5,000,000 of the funds provided shall be available for the packaging and disposition of any nuclear material found in Iraq: Provided further, That \$5,000,000 of the funds provided shall be available for nuclear material detection materials and devices: Provided further, That \$5,000,000 of the funds provided shall be available for international export control cooperation activities: Provided further, That \$2,000,000 of the funds provided shall be available for vulnerability assessments of spent nuclear fuel casks.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For an additional amount for "Defense Environmental Restoration and Waste Management", for expenses necessary to support safeguards and security activities at nuclear and other facilities, \$6,000,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For an additional amount for "Other Defense Activities", \$18,000,000, to remain available until expended, for increased safeguards and security of Department of Energy facilities and personnel, including intelligence and counterintelligence activities: Provided, That this amount shall be available for transfer to other accounts within the Department of Energy for other expenses necessary to support elevated security conditions 15 days after a notification to the Congress of the proposed transfers.

CHAPTER 5

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUNDS

For an additional amount for "Child Survival and Health Programs Fund", \$90,000,000.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for "International Disaster Assistance", \$112,500,000: Provided, That amounts made available pursuant to section 492(b) of the Foreign Assistance Act of 1961 for the purpose of addressing relief and rehabilitation needs in Iraq, prior to enactment of this Act, shall be in addition to the amount that may be obligated in any fiscal year under that section.

LOAN GUARANTEES TO ISRAEL

During the period beginning March 1, 2003 and ending September 30, 2005, loan guarantees may be made available to Israel, guaranteeing 100 percent of the principal and interest on such loans, any part of which is to be guaranteed, not to exceed \$9,000,000,000: Provided, That guarantees may be issued under this section only to support activities in the geographic areas which were subject to the administration of the Government of Israel before June 5, 1967: Provided further, That the amount of guarantees that may be issued shall be reduced by an amount equal to the amount extended or estimated to have been extended by the Government of Israel during the period from March 1, 2003 to the date of issue of the guarantee, for activities which the President determines are inconsistent with the objectives and understandings reached between the United States and the Government of Israel regarding the implementation of the loan guarantee program: Provided further, That

no appropriations are available under this heading for the subsidy costs for these loan guarantees: Provided further, That the Government of Israel will pay the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, as amended, including any non-payment exposure risk, associated with the loan guarantees issued in any fiscal year on a pro rata basis as each guarantee is issued during that year: Provided further, That all fees associated with the loan guarantees shall be paid by the Government of Israel to the Government of the United States: Provided further, That funds made available for assistance to Israel under chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, may be utilized by the Government of Israel to pay such fees to the United States Government: Provided further, That such guarantees shall constitute obligations, in accordance with the terms of such guarantees, of the United States and the full faith and credit of the United States is hereby pledged for the full payment and performance of such obligations: Provided further, That if less than the full amount of guarantees authorized to be made available is issued prior to September 30, 2005, the authority to issue the balance of such guarantees shall extend to the subsequent fiscal year: Provided further, That the President shall determine the terms and conditions for issuing guarantees, taking into consideration the budgetary and economic reforms undertaken by Israel: Provided further, That if the President determines that these terms and conditions have been breached, the President may suspend or terminate the provision of all or part of the loan guarantees not yet issued under this section.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for "Operating Expenses of the United States Agency for International Development", \$23,600,000, of which not more than \$2,000,000 may be transferred to and merged with "Operating Expenses of the United States Agency for International Development Office of Inspector General".

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund", \$2,357,900,000, of which the amounts specified herein shall be available as follows:

(1) \$300,000,000, to remain available until September 30, 2005, only for grants for Egypt: Provided, That during the period beginning March 1, 2003 and ending September 30, 2005, loan guarantees may be made to Egypt, the principal amount, any part of which is to be guaranteed, shall not exceed \$2,000,000,000: Provided further, That up to \$379,600,000 in funds appropriated under this heading in prior foreign operations, export financing, and related programs appropriations Acts for Egypt, including funds provided as Commodity Import Program assistance, may be made available on a grant basis as a cash transfer.

(2) \$1,000,000,000 to remain available until September 30, 2005, only for grants for Turkey: Provided, That during the period beginning March 1, 2003 and ending September 30, 2005, direct loans or loan guarantees may be made to Turkey, the principal amount of direct loans or loans, any part of which is to be guaranteed, shall not exceed \$8,500,000,000: Provided further, That none of the funds made available under this heading for Turkey may be made available if Turkey unilaterally deploys troops into northern Iraq during Operation Iraqi Freedom: Provided further, That the Secretary of State may waive the requirement of the previous proviso if he determines that to do so is in the national security interest of the United States: Provided further, That any balance of funds not made available to Turkey under this paragraph shall

be transferred to, and merged with, funds appropriated for "Iraq Relief and Reconstruction Fund".

(3) The Government of Egypt and the Government of Turkey will pay the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, as amended, including any non-payment exposure risk, associated with these loan guarantees: Provided further, That all fees associated with these loan guarantees or loans shall be paid by the Government of Egypt and the Government of Turkey to the Government of the United States: Provided further, That funds made available for assistance for Egypt and Turkey under chapter 4 of Part II of the Foreign Assistance Act of 1961, as amended, may be utilized by the Government of Egypt and the Government of Turkey to pay such fees and costs to the United States Government: Provided further, That such guarantees shall constitute obligations, in accordance with the terms of such guarantees, of the United States and the full faith and credit of the United States is hereby pledged for the full payment and performance of such obligations: Provided further, That the President shall determine the terms and conditions for providing the economic assistance authorized in paragraphs (1) and (2): Provided further, That if the President determines that these terms and conditions have been breached, the President may suspend or terminate the provision of all or part of such economic assistance not yet outlayed under this heading, and shall transfer, and merge, such economic assistance with the "Iraq Relief and Reconstruction Fund".

(4) \$700,000,000 for assistance for Jordan.

(5) Not less than \$50,000,000 for assistance for the Philippines to further prospects for peace in Mindanao.

UNITED STATES EMERGENCY FUND FOR COMPLEX FOREIGN CRISES

For necessary expenses to enable the President to respond to unforeseen complex foreign crises, \$150,000,000, to remain available until expended: Provided, That funds appropriated under this heading may be made available only pursuant to a determination by the President that is in the national interest to furnish assistance on such terms and conditions as he may determine, after consultation with Congress, for the purpose of responding to such crises, including support for peace and humanitarian intervention operations: Provided further, That none of the funds appropriated under this heading shall be available to respond to natural disasters: Provided further, That for funds appropriated under this heading the President may make allocations to Federal agencies, other than the Department of Defense, to carry out the authorities provided under this heading: Provided further, That funds appropriated by this paragraph shall be made available notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956: Provided further, That the President may furnish assistance under this heading notwithstanding any other provision of law: Provided further, That the previous proviso shall not apply to section 553 of Public Law 108-7: Provided further, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that notifications shall be transmitted at least 5 days in advance of the obligations of funds: Provided further, That the requirements of the previous proviso may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided further, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to

such waiver shall contain an explanation of the emergency circumstances.

INDEPENDENT AGENCIES

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for "International Narcotics Control and Law Enforcement", \$25,000,000, to remain available until September 30, 2004.

ANDEAN COUNTERDRUG INITIATIVE

For an additional amount for the "Andean Counterdrug Initiative", \$34,000,000, to remain available until September 30, 2004: Provided, That of the funds appropriated under this heading that are made available for Colombia, 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.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for "United States Emergency Refugee and Migration Assistance Fund", \$75,000,000, to remain available until expended, notwithstanding section 2(c)(2) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)(2)).

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for "Nonproliferation, Anti-Terrorism, Demining and Related Programs", \$28,000,000: Provided, That funds appropriated by this paragraph shall be available notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", \$2,059,100,000: Provided, That funds appropriated by this paragraph shall be available notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956: Provided further, That of the funds appropriated under this heading, not less than \$1,000,000,000 shall be made available for assistance for Israel and not less than \$406,000,000 shall be made available for assistance for Jordan: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than \$263,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That up to \$20,000,000 of the funds appropriated by this paragraph may be transferred to and merged with funds appropriated under the heading "Andean Counterdrug Initiative" for aircraft, training, and other assistance for the Colombian Armed Forces: Provided further, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that notifications shall be transmitted at least 10 days in advance of the obligation of funds.

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", \$150,000,000.

OTHER BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT
IRAQ RELIEF AND RECONSTRUCTION FUND
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for humanitarian assistance in and around Iraq and for rehabilitation and reconstruction in Iraq, \$2,468,300,000, including for the costs of: (1) feeding and food distribution; (2) supporting relief efforts related to refugees, internally displaced persons, and vulnerable individuals, including assistance for families of innocent Iraqi civilians who suffer losses as a result of military operations; (3) humanitarian demining; (4) healthcare; (5) water/sanitation infrastructure; (6) education; (7) electricity; (8) transportation; (9) telecommunications; (10) rule of law and governance; (11) economic and financial policy; and (12) agriculture: Provided, That these funds may be transferred to and made available for any Federal Government activity, other than any Department of Defense activity, for expenses to meet such costs: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That funds appropriated under this heading shall be used to fully reimburse accounts administered by the Department of State and the United States Agency for International Development, not otherwise reimbursed from funds appropriated by this chapter, for obligations incurred for the purposes provided under this heading prior to enactment of this Act from funds appropriated for foreign operations, export financing, and related programs: Provided further, That prior to the initial transfer of funds made available under this heading to any Agency or Department, the Secretary of State shall consult with the Committees on Appropriations on plans for the use of the funds appropriated under this heading that will be used for assistance for Iraq: Provided further, That the United States may accept from any person, foreign government, or international organization, and credit to this Fund, any contribution of money for such purposes: Provided further, That funds appropriated under this heading shall be available notwithstanding any other provision of law, including section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956: Provided further, That the previous proviso shall not apply to section 553 of Public Law 108-7: Provided further, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriation, except that notifications shall be transmitted at least 5 days in advance of the obligations of funds: Provided further, That of the funds appropriated under this heading, \$4,300,000 shall be made available to the United States Agency for International Development Office of Inspector General for the purpose of monitoring and auditing expenditures for reconstruction and related activities in Iraq: Provided further, That such sums are in addition to funds otherwise made available by this Act to such office

GENERAL PROVISIONS, THIS CHAPTER

SEC. 501. Any appropriation made available in this chapter under the headings "International Disaster Assistance", "United States Emergency Refugee and Migration Assistance Fund", "Nonproliferation, Anti-Terrorism, Demining and Related Programs", "Peacekeeping Operations", or "Iraq Relief and Reconstruction Fund" may be transferred between such appropriations for use for any of the purposes for which the funds in the such receiving account may be used: Provided, That the total amount transferred from funds appropriated under each of these headings shall not exceed \$200,000,000: Provided further, That the Secretary of State

shall consult with the Committee on Appropriations prior to exercising the authority contained in this section: Provided further, That funds made available pursuant to the authority of this section 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 obligations of funds.

SEC. 502. Assistance or other financing under this chapter may be made available for assistance to Iraq notwithstanding any other provision of law: Provided, That the authority contained in this section shall not apply to section 553 of Public Law 108-7: Provided further, That funds made available for assistance for Iraq pursuant to this authority shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961, except that notification shall be transmitted at least 5 days in advance of the obligation of funds.

SEC. 503. The Iraq Sanctions Act of 1990 is hereby repealed: Provided, That nothing in this section shall affect the applicability of the Iran-Iraq Arms Non-Proliferation Act of 1992 (Public Law 102-484), except as such Act applies to water purification items and other humanitarian assistance for the Iraqi people: Provided further, That the President may make inapplicable with respect to Iraq section 620A of the Foreign Assistance Act of 1961, as amended, or other provision of law that applies to countries that have supported terrorism: Provided further, That section 307 of the Foreign Assistance of 1961, as amended, shall not apply with respect to programs of international organizations for Iraq: Provided further, That provisions of law that direct the United States Government to vote against or oppose loans or other uses of funds, including for financial or technical assistance, in international financial institutions for Iraq should not be construed as applying to Iraq.

SEC. 504. Notwithstanding any other provision of law, the President may authorize the export to Iraq of any item subject to the Export Administration Regulations, 15 CFR chapter VII, subchapter C, or controlled under the International Trafficking in Arms Regulations on the United States Munitions List established pursuant to section 38 of the Arms Export Control Act, 22 U.S.C. 2778, if the President determines that the export of such item is in the national interest of the United States.

SEC. 505. Of the funds appropriated by this chapter under the heading "Economic Support Fund", \$10,000,000 should be made available for investigations and research into allegations of war crimes, crimes against humanity, or genocide committed by Saddam Hussein or other Iraqis, and for the establishment of an international tribunal to bring these individuals to justice: Provided, That 90 days after enactment of this Act, the Secretary of State shall report to the Committees on Appropriations on plans for the prosecution of these individuals, including jurisdictional options.

SEC. 506. It is the Sense of the Senate that, to the maximum extent practicable, contracts (including subcontracts) and grants for relief and reconstruction in Iraq from funds appropriated under this chapter should be awarded to United States companies (particularly small and medium sized businesses) and organizations, to companies and organizations located in the Near East region, and to those from countries which have provided assistance to Operation Iraqi Freedom.

SEC. 507. It is the sense of the Senate that the reconstruction of Iraq should be funded to the maximum extent practicable from revenues produced by Iraqi oil and that the United States Government should work with our allies, the future government of a free Iraq, and other appropriate entities to establish the necessary framework for this arrangement.

SEC. 508. Division E of Public Law 108-7, under the heading "Assistance for the Inde-

pendent States of the Former Soviet Union", is amended by inserting in subsection (f) before the period: "": Provided further, That such funds may be made available without regard to the restriction in this subsection if the Secretary of State determines that to do so is in the national security interest of the United States".

CHAPTER 6

DEPARTMENT OF HOMELAND SECURITY

DEPARTMENTAL MANAGEMENT

COUNTERTERRORISM FUND

For an additional amount for the "Counterterrorism Fund," for necessary expenses as determined by the Secretary of Homeland Security, \$1,135,000,000, to remain available until December 31, 2003, to reimburse any Department of Homeland Security organization for the costs of providing support to prevent, counter, investigate, respond to, or prosecute unexpected threats or acts of terrorism: Provided, That of the total amount appropriated, not to exceed \$215,000,000 may be transferred to any authorized Federal Government activity for necessary expenses to detect, prepare for, protect against, or respond to a potential terrorist attack: Provided further, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds.

BORDER AND TRANSPORTATION SECURITY

OFFICE FOR DOMESTIC PREPAREDNESS

For an additional amount for the "Office for Domestic Preparedness", as authorized by Sections 403(5) and 430 of the Homeland Security Act of 2002 (Public Law 107-296) and Section 1014 of the USA PATRIOT ACT of 2001 (Public Law 107-56), for grants, contracts, cooperative agreements, and other activities, including grants to States for terrorism prevention activities, \$2,200,000,000, to remain available until expended: Provided, That of the total amount appropriated, \$1,270,000,000 shall be made available for grants to states, and each state grant award shall ensure that at least 80 percent of the total amount of the grant shall be allocated to local governments within 60 days of receipt of the funds: Provided further, That of the total amount appropriated, \$300,000,000 shall be made available for grants to states for critical infrastructure protection, and each grant award shall ensure that no less than one-third of the total amount of the grant shall be allocated to local governments within 60 days of receipt of the funds: Provided further, That of the total amount appropriated, \$600,000,000 shall be made available for protection or preparedness of high-threat urban areas, as determined by the Secretary of Homeland Security.

COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating Expenses" for the Coast Guard in support of Department of Defense initiatives in relation to Operation Iraqi Freedom and Operation Liberty Shield, \$580,000,000, to remain available until December 31, 2003: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to obligation of any amount of these funds.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For an additional amount, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Federal

Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404-405), and Reorganization Plan No. 3 of 197, \$109,500,000, to remain available until expended: Provided, That this amount shall be for grants to improve public safety communications and interoperability.

GENERAL PROVISION, THIS CHAPTER

SEC. 601. The Bureau of Customs and Border Protection shall inspect all commercial motor vehicles (as defined in section 31101(1) of title 49, United States Code) carrying municipal solid waste and seeking to enter the United States through the Blue Water Bridge port-of-entry in Port Huron, Michigan, and the Ambassador Bridge port-of-entry in Detroit, Michigan, and ensure that by May 2003, the Blue Water Bridge in Port Huron, Michigan, shall be—

(1) equipped with radiation detection equipment; and

(2) staffed by Bureau inspectors formally trained in the process of detecting radioactive materials in cargo and equipped with both portal monitor devices and hand-held isotope identifiers.

SEC. 602. TSA TO ISSUE LETTERS OF INTENT REGARDING INSTALLATION OF EDS AT AIRPORTS. (a) IN GENERAL.—The Under Secretary of Homeland Security for Transportation and Border Security may issue letters of intent to airports to provide assistance for the installation of explosive detection systems by the date prescribed by section 44901(d)(2)(i) of title 49, United States Code.

(b) REPORT.—Beginning 30 days after the date of enactment of this Act, and every 60 days thereafter in calendar year 2003, the Under Secretary shall transmit a classified report to the House of Representatives Committee on Appropriations, the Senate Committee on Appropriations, the House of Representatives Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation describing each letter of intent issued by the Under Secretary under subsection (a).

SEC. 603. In accordance with section 873(b) of the Homeland Security Act of 2002 (6 U.S.C. 453(b)), the Bureau of Customs and Border Protection may accept donations of body armor for United States border patrol agents and United States border patrol canines if such donations would further the mission of protecting our Nation's border and ports of entry as determined by the Under Secretary for Border and Transportation Security.

CHAPTER 7

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For an additional amount for the "Public Health and Social Services Emergency Fund", \$35,000,000 for costs associated with compensating individuals with injuries resulting from smallpox vaccinations and countermeasures, to remain available until expended: Provided, That such funds shall become available only upon the enactment of legislation authorizing a smallpox vaccination compensation program.

SMALLPOX AND OTHER BIOTERRORISM INOCULATION ACTIVITIES

For additional expenses necessary to support grants to States for smallpox and other bioterrorism inoculation activities, \$105,000,000, to remain available until September 30, 2004: Provided, That this amount is transferred to the Centers for Disease Control and Prevention.

SEVERE ACUTE RESPIRATORY SYNDROME (SARS)

For an additional amount for "Centers for Disease Control and Prevention, Disease Control, Research, and Training", \$16,000,000 for costs associated with the prevention and control of Severe Acute Respiratory Syndrome (SARS).

GENERAL PROVISION
REPATRIATION

SEC. 701. Section 1113(d) of the Social Security Act (42 U.S.C. 1313(d)), is amended by striking "1991" and inserting "2003".

CHAPTER 8
LEGISLATIVE BRANCH
CAPITOL POLICE
GENERAL EXPENSES

For an additional amount for "General expenses", \$38,165,000, to remain available until expended.

OFFICE OF COMPLIANCE
SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$111,000.

ARCHITECT OF THE CAPITOL
GENERAL ADMINISTRATION

For an additional amount for "General administration", \$18,672,000, which shall remain available until September 30, 2007.

CAPITOL BUILDING

For an additional amount for "Capitol building", \$1,100,000.

CAPITOL POWER PLANT

For an additional amount for "Capitol power plant", \$14,600,000, which shall remain available until September 30, 2007.

CAPITOL POLICE BUILDINGS AND GROUNDS

For an additional amount for "Capitol police buildings and grounds", \$40,140,000, to remain available until September 30, 2007.

LIBRARY OF CONGRESS
SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$5,500,000 to remain available until September 30, 2007.

CONGRESSIONAL RESEARCH SERVICE
SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$1,863,000, to remain available until September 30, 2007.

GENERAL ACCOUNTING OFFICE
SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$4,849,000.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 801. POSTAL PATRON POSTCARDS. The matter under the subheading "MISCELLANEOUS ITEMS" under the heading "CONTINGENT EXPENSES OF THE SENATE" under title I of the Legislative Branch Appropriations Act, 2003 (Public Law 108-7) is amended by striking "with a population of less than 250,000".

CHAPTER 9
DEPARTMENT OF DEFENSE
MILITARY CONSTRUCTION
MILITARY CONSTRUCTION, NAVY

For an additional amount for "Military Construction, Navy", \$48,100,000, to remain available until September 30, 2007.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force", \$127,400,000, to remain available until September 30, 2007.

FAMILY HOUSING OPERATION AND MAINTENANCE,
AIR FORCE

For an additional amount for "Family Housing Operation and Maintenance, Air Force", \$2,000,000, to remain available until September 30, 2007.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 901. (a) Up to \$150,000,000 of the amounts made available to the Department of Defense from funds appropriated in this Act may be used to carry out military construction projects, not otherwise authorized by law, that the Secretary of Defense certifies are necessary to respond to

or protect against acts or threatened acts of terrorism or to prosecute operations in Iraq.

(b) Not later than 15 days before obligating amounts available under subsection (a) for military construction projects referred to in that subsection, the Secretary shall notify the appropriate committees of Congress of the following:

(1) the determination to use such amounts for the project; and

(2) the estimated cost of the project and the accompanying Form 1391.

(c) In this section the term "appropriate committees of Congress" has the meaning given that term in section 2801(c)(4) of title 10, United States Code.

SEC. 902. (a) The Secretary of the Army may accept funds from the State of Utah, and credit them to the appropriate Department of the Army accounts for the purpose of the funding of the costs associated with extending the runway at Michael Army Airfield, Dugway Proving Ground, Utah, as part of a previously authorized military construction project.

(b) The Secretary may use the funds accepted for the refurbishment, in addition to funds authorized and appropriated for the project. The authority to accept a contribution under this section does not authorize the Secretary of the Army to reduce expenditures of amounts appropriated for the refurbishment project. The funds accepted shall remain available until expended.

(c) The authority provided in this section shall be effective upon the date of the enactment of this Act.

CHAPTER 10

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM
ACCOUNT

For the cost of guaranteed loans, as authorized, \$50,000,000, to remain available until September 30, 2005: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

CHAPTER 11

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION
MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; and for furnishing recreational facilities, supplies, and equipment incident to the provision of hospital care, medical services, and nursing home care authorized by section 1710(e)(1)(D) of title 38, United States Code, \$155,000,000: Provided, That such amount shall remain available until expended.

TITLE II—MISCELLANEOUS AND
TECHNICAL CORRECTIONS

CHAPTER 1

SUBCOMMITTEE ON AGRICULTURE, RURAL
DEVELOPMENT, AND RELATED AGENCIES
GENERAL PROVISIONS

SEC. 201. (a) Section 756 in Division A of Public Law 108-7 is amended by striking "section 7404" and inserting in lieu thereof "section 7404(a)(1)".

(b) Section 10806(b) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(b)) is amended by adding at the end the following:

"(3) EFFECTIVE DATE.—This subsection and the amendment made by this subsection take effect on May 13, 2003."

(c) Section 210 of the Agricultural Assistance Act of 2003, "Assistance to Agricultural Producers Located in New Mexico for Tebuthiuron Application Losses", is amended in subsection (a)—

(1) by inserting "all" before "losses";

(2) by inserting after "losses" the following: "to crops, livestock, and trees, and interest and loss of income, and related expenses";

(3) by striking "during calendar years 2002 and 2003"; and

(4) by deleting "August" and inserting in lieu thereof "July".

(d)(1) STUDY ON THE SALE OF MILK INTO CALIFORNIA.—Within 90 days, the Secretary shall report to Congress on the economic impacts to California dairy farmers from handlers or processors of Class I milk products in the Las Vegas-Nevada-Arizona region selling milk or milk products into the California State order.

(2) EXEMPTION OF MILK HANDLERS FROM MINIMUM PRICE REQUIREMENTS.—Section 8c(5) of the Agricultural Adjustment Act (7 U.S.C. 608c(5)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (as amended by subsection (a)), is amended by adding at the end the following:

"(N) EXEMPTION OF MILK HANDLERS FROM MINIMUM PRICE REQUIREMENTS.—Notwithstanding any other provision of this subsection, prior to January 1, 2005, no handler with distribution of Class I milk products in the Arizona-Las Vegas marketing area (Order No. 131) or Pacific Northwest marketing area (Order No. 124) shall be exempt during any month from any minimum milk price requirement established by the Secretary under this subsection if the total distribution of Class I products within the Arizona-Las Vegas marketing area or the Pacific Northwest marketing area of any handler's own farm production exceeds the lesser of—

"(i) 3 percent of the total quantity of Class I products distributed in the Arizona-Las Vegas marketing area (Order No. 131) or the Pacific Northwest marketing area (Order No. 124); or

"(ii) 5,000,000 pounds."

(3) EXCLUSION OF CLARK COUNTY, NEVADA FROM FEDERAL MILK MARKETING ORDERS.—

(A) IN GENERAL.—Section 8c(11)(C) of the Agricultural Adjustment Act (7 U.S.C. 608c(11)(C)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking the last sentence and inserting the following: "In the case of milk and its products, Clark County, Nevada shall not be within a marketing area defined in any order issued under this section."

(B) INFORMAL RULEMAKING.—The Secretary of Agriculture may modify an order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, to implement the amendment made by paragraph (1) by promulgating regulations, without regard to sections 556 and 557 of title 5, United States Code.

(e) LIVESTOCK COMPENSATION PROGRAM.—Section 203(a) of the Agricultural Assistance Act of 2003 (title II of division N of Public Law 108-7) is amended by adding at the end the following:

"(3) GRANTS.—

"(A) IN GENERAL.—To provide assistance to eligible applicants under paragraph (2)(B), the Secretary shall provide grants to appropriate State departments of agriculture (or other appropriate State agencies) that agree to provide assistance to eligible applicants.

"(B) AMOUNT.—The total amount of grants provided under subparagraph (A) shall be equal to the total amount of assistance that the Secretary determines all eligible applicants are eligible to receive under paragraph (2)(B)."

SEC. 202. USE OF ORGANICALLY PRODUCED FEED FOR CERTIFICATION AS ORGANIC FARM. Section 771 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2003 (division A of Public Law 108-7) is repealed.

SEC. 203. WILD SEAFOOD. Section 2107 of the Organic Foods Production Act of 1990 (7 U.S.C. 6503) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after section (b) the following:
“(c) WILD SEAFOOD.—

“(1) IN GENERAL.—Notwithstanding the requirement of section 2107(a)(1)(A) requiring products be produced only on certified organic farms, the Secretary shall allow, through regulations promulgated after public notice and opportunity for comment, wild seafood to be certified or labeled as organic.

“(2) CONSULTATION AND ACCOMMODATION.—In carrying out paragraph (1), the Secretary shall—

“(A) consult with—

“(i) the Secretary of Commerce;

“(ii) the National Organic Standards Board established under section 2119;

“(iii) producers, processors, and sellers; and

“(iv) other interested members of the public; and

“(B) to the maximum extent practicable, accommodate the unique characteristics of the industries in the United States that harvest and process wild seafood.”.

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

For an additional amount for “Procurement, Acquisition and Construction” for satellite programs, \$117,060,000, to remain available until September 30, 2004: Provided, That funds provided under this heading for the National Polar-orbiting Operational Environmental Satellite System shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That of the amount provided under this heading, \$2,460,000 shall be transferred to, and merged with, funds provided under the heading “International Fisheries Commissions” of Division B of Public Law 108-7 and shall only be available for the Pacific Salmon Commission: Provided further, That of the amount provided under this heading, \$1,000,000 shall be transferred to, and merged with, funds provided under the heading “International Fisheries Commissions” of Division B of Public Law 108-7 and shall only be available for the Pacific Salmon Commission: Provided further, That of the amount provided under this heading, \$10,000,000 shall be transferred to, and merged with, funds provided under the heading “International Fisheries Commissions” of Division B of Public Law 108-7 and shall only be available for the Great Lakes Fishery Commission, of which \$500,000 shall be used for sea lamprey control in Lake Champlain: Provided further, That of the amount made available under this heading, \$10,000,000 to remain available until September 30, 2004, shall only be available for the incorporation of additional technologies for disseminating terrorism warnings within the All Hazards Warning Network.

RELATED AGENCIES

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For an additional amount for “Equal Employment Opportunity Commission, Salaries and Expenses”, \$23,300,000, of which \$5,000,000 shall remain available until September 30, 2004.

NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES

SALARIES AND EXPENSES

For an additional amount for “National Commission on Terrorist Attacks Upon the United States, Salaries and Expenses”, \$11,000,000, to remain available until September 30, 2004.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 2001. (a) Of the funds made available in Title I of Division B of Public Law 108-7, under the heading “Juvenile Justice Programs”, for Family Ties Supervised Visitation Services in Wakefield, Rhode Island, \$100,000 are rescinded.

(b) For an additional amount in Title I of Division B of Public Law 108-7, under the heading “Juvenile Justice Programs”, \$529,000, which shall only be available for law enforcement costs

related to the Station nightclub fire on February 20, 2003, to remain available until December 31, 2003.

SEC. 2002. Not later than 60 days after the date of the enactment of this Act, the Secretary of State and the Attorney General shall jointly report to the Committee on Appropriations on the feasibility of providing access to State and local law enforcement agencies to the database of the Department of State on potential terrorists known as the “Tipoff” database including the process by which classified information shall be secured from unauthorized disclosure.

SEC. 2003. For an additional amount for the law enforcement technology program under the heading “Community Oriented Policing Services” in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003, \$5,000,000 for the Louisville-Jefferson County, Kentucky Public Safety Communications System to implement a common interoperable voice and data communications system for public safety organizations in the metropolitan area.

SEC. 2004. Section 501(b) of title V of division N of the Consolidated Appropriations Resolution, 2003 is amended—

(1) by striking “program authorized for the fishery in Sec. 211” and inserting “programs authorized for the fisheries in sections 211 and 212”; and

(2) by striking “program in section 211” and inserting “programs in sections 211 and 212”.

CHAPTER 3

SUBCOMMITTEE ON DISTRICT OF COLUMBIA DISTRICT OF COLUMBIA FUNDS

GOVERNMENTAL DIRECTION AND SUPPORT (INCLUDING RESCISSIONS)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003 (Public Law 108-7), \$9,358,000 are rescinded (including \$9,261,000 from local funds and \$97,000 from other funds).

ECONOMIC DEVELOPMENT AND REGULATION

For an additional amount for “Economic Development and Regulation”, \$14,998,000 (including \$288,000 from local funds and \$14,710,000 from other funds).

PUBLIC SAFETY AND JUSTICE

For an additional amount for “Public Safety and Justice” (Public Law 108-7), \$10,422,000 from local funds.

PUBLIC EDUCATION SYSTEM

(INCLUDING RESCISSIONS)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003 (Public Law 108-7), \$11,667,000 are rescinded (including a rescission of \$13,778,000 from local funds and an additional amount of \$2,111,000 from other funds), to be allocated as follows:

(1) DISTRICT OF COLUMBIA PUBLIC SCHOOLS.—An increase of \$2,029,000 (including a rescission of \$29,000 from local funds and an additional amount of \$2,058,000 from other funds);

(2) STATE EDUCATION OFFICE.—A rescission of \$181,000 from local funds;

(3) PUBLIC CHARTER SCHOOLS.—Notwithstanding any other provision of law, a rescission of \$12,000,000 from local funds: Provided, That of these funds, not less than \$3,000,000 shall be used for providing adequate charter school facilities and educational programming in public charter schools in the District of Columbia;

(4) UNIVERSITY OF THE DISTRICT OF COLUMBIA.—A rescission of \$1,040,000 from local funds;

(5) DISTRICT OF COLUMBIA PUBLIC LIBRARIES.—A rescission of \$221,000 (including a rescission of \$273,000 from local funds and an additional amount of \$53,000 from other funds); and

(6) COMMISSION ON THE ARTS AND HUMANITIES.—A rescission of \$255,000 from local funds.

HUMAN SUPPORT SERVICES

(INCLUDING RESCISSIONS)

For an additional amount for “Human Support Services”, \$28,278,000 (including an addi-

tional amount of \$32,312,000 from local funds and a rescission of \$4,034,000 from other funds appropriated under this heading in the District of Columbia Appropriations Act, 2003 (Public Law 108-7).

In addition, this heading in the District of Columbia Appropriations Act, 2003, approved February 20, 2003 (Public Law 108-7), is amended as follows:

(1) by striking the following proviso, “Provided further, That \$3,209,000 of this appropriation, to remain available until expended, shall be deposited in the Interim Disability Assistance Fund to be used exclusively for the Interim Disability Assistance program established by section 201 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code, sec. 4-202.01), and the purposes for that program set forth in section 407 of the District of Columbia Public Assistance Act of 1982, effective April 3, 2001 (D.C. Law 13-252; D.C. Official Code, sec. 4-204.07);”, and

(2) by amending the following proviso, “: Provided further, That \$37,500,000 in local funds, to remain available until expended, shall be deposited in the Medicaid and Special Education Reform Fund.” to read as follows “: Provided further, That \$74,500,000 in local funds may be deposited in the Medicaid and Special Education Reform Fund and shall then remain available until expended.”.

PUBLIC WORKS

(INCLUDING RESCISSIONS)

For an additional amount for “Public Works”, \$3,107,000 (including a rescission of \$8,311,000 from local funds appropriated under this heading in the District of Columbia Appropriations Act, 2003 (Public Law 108-7), and an additional amount of \$11,418,000 from other funds): Provided, That \$512,000 from other funds shall remain available until expended for the taxicab revolving loan fund.

REPAYMENT OF LOANS AND INTEREST

(INCLUDING RESCISSIONS)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003 (Public Law 108-7), \$2,466,000 are rescinded.

NON-DEPARTMENTAL

(INCLUDING RESCISSIONS)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003 (Public Law 108-7), \$5,799,000 are rescinded.

WORKFORCE INVESTMENTS

(INCLUDING RESCISSIONS)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003 (Public Law 108-7), \$2,000,000 are rescinded.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 3001. USE OF THE FUND BALANCE. (a) The District of Columbia is hereby authorized to transfer an amount not to exceed \$32,900,000, to remain available until expended, from funds identified in the fiscal year 2002 comprehensive annual financial report as the District of Columbia’s fund balance to the local general fund to cover the impact of revenue shortfalls associated with the war economy: Provided, That nothing in this provision shall be deemed as granting the District additional authority to expend funds from the emergency or contingency reserves established under section 450A of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, sec. 1-204.50a(b)).

SEC. 3002. EXTENSION OF CHIEF FINANCIAL OFFICER’S AUTHORITY. The authority which the Chief Financial Officer of the District of Columbia exercised with respect to personnel, procurement, and the preparation of fiscal impact statements during a control period (as defined in Public Law 104-8) shall remain in effect through September 30, 2004.

CHAPTER 4

SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE
STATE AND TRIBAL WILDLIFE GRANTS

Division F of Public Law 108-7 is hereby amended under the heading "United States Fish and Wildlife Service, State and Tribal Wildlife Grants" by striking "\$3,000,000" and inserting "\$5,000,000".

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

Division F of Public Law 108-7 is hereby amended under the heading "National Park Service, Operation of the National Park System" by striking "\$1,565,565,000" and inserting "\$1,574,565,000".

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

Within thirty days of enactment of this Act, the Secretary of the Interior shall make available for obligation funds previously appropriated in Public Law 107-63 for construction of the Ojibwa Indian School.

RELATED AGENCY

GENERAL PROVISION

Section 328 of Division F, Public Law 108-7 is amended by striking the phrase "under the authority of Section 504 of the Rescissions Act of 1995 (Public Law 104-19)" in the proviso.

Not later than 60 days after the date of the enactment of this Act, the Secretary of the Interior shall provide a report to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Resources and Appropriations of the House of Representatives detailing the Secretary's intent regarding the direct sale of 983 acres in Clark County, Nevada, known as Lake Las Vegas Phase II.

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

For an additional amount for the Employment and Training Administration, "Training and Employment Services" to carry out activities authorized under section 171(b) of the Workforce Investment Act, \$1,000,000: Provided, That such sum shall be for the Jobs for America's Graduates (JAG) school-to-work program for at-risk young people.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The matter under the heading "Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services", in Public Law 108-7 is amended—

(1) by striking "Heart Beat, New Bloomfield, PA," and inserting "Heart Beat, Millerstown, PA," in lieu thereof;

(2) by striking "Tressler Lutheran Services, Harrisburg, PA, for abstinence education and related services" and inserting "DIAKON Lutheran Social Ministries, Allentown, PA, for abstinence education and related services in Cumberland and Dauphin counties" in lieu thereof;

(3) by striking "Community Ministries of the Lutheran Home at Topton, Reading, PA, for abstinence education and related services" and inserting "DIAKON Lutheran Social Ministries of Allentown, PA, for abstinence education and related services in Berks county" in lieu thereof;

(4) by striking "\$298,153,000" and inserting "\$296,638,000" in the first proviso; and

(5) by inserting after "a study regarding delivery of pediatric health care in northeastern Oklahoma," "\$225,000 is available for the Mental Health Association of Tarrant County, Ft. Worth, Texas to provide school-based mental health education to schools in Tarrant County, \$200,000 is available for the AIDS Research Institute at the University of California, San Francisco for a Developing Country Medical Program to facilitate clinician exchange between the United States and developing countries, \$1,000,000 is available for the Geisinger Health System, Harrisburg, PA to establish centers of excellence for the treatment of autism".

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The matter under the heading "Office of the Secretary, Public Health and Social Services Emergency Fund", in Public Law 108-7 is amended by striking ";, to remain available until expended" after the "\$5,000,000".

GENERAL PROVISION

INTERNATIONAL HEALTH ACTIVITIES

(a) In addition to the authority provided in section 215 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003 (Public Law 108-7, Division G), in order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2003, the Secretary of Health and Human Services may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)).

(b) The Secretary of Health and Human Services shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) and other applicable statutes administered by the Department of State.

DEPARTMENT OF EDUCATION

SCHOOL IMPROVEMENT PROGRAMS

The matter under the heading "Department of Education, School Improvement Programs", in Public Law 108-7 is amended—

(1) by striking "\$8,052,957,000" and inserting "\$8,053,507,000";

(2) by striking "\$508,100,000" and inserting "\$537,100,000";

(3) by striking "\$4,132,167,000" and inserting "\$4,233,167,000";

(4) by striking "\$814,660,000" and inserting "\$815,210,000"; and,

(5) by striking "\$212,160,000" and inserting "\$212,710,000".

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 III of Division G, relating to the Fund for the Improvement of Education under the heading "School Improvement Programs"—

(1) the provision specifying \$150,000 for Illinois State Board of Education, Springfield, Illinois, for computers, hardware and software for the implementation of Fast ForWord reading program to the Pleasant Plains Community Unit District #8 and Pleasant Plain Illinois District #18 shall be deemed to read as follows: "Illinois State Board of Education, Springfield, Illinois, for implementation of Fast ForWord reading program to the Pleasant Plains Community Unit District #8 and for improving mathematics achievement in Peoria School District #150 and Jacksonville School District #117, \$150,000";

(2) the provision specifying \$2,000,000 for Pinellas County Florida School District, St. Petersburg, Florida, for technology for Title I schools shall be deemed to read as follows: "St. Petersburg College, St. Petersburg, Florida, for the Pinellas County EpiCenter, \$2,000,000";

(3) the provision specifying \$500,000 for the St. Louis Children's Museum, MO, for a collaborative project with the St. Louis Public Library to create interactive exhibits and educational programs shall be deleted;

(4) the provision specifying \$200,000 for the Harford County Board of Education in Aberdeen, MD, for a collaboration between a science and technology high school and the Aberdeen Proving Ground shall be deemed to read as follows: "Harford County Board of Education in Aberdeen, MD, for a collaboration between a science and technology high school and the Aberdeen Proving Ground, \$700,000";

(5) the provision specifying \$25,000 for the Boys and Girls Club of El Dorado, Arkansas, for drug prevention and after school programs shall be deemed to read as follows: "Boys and Girls Club, Southeast Unit, El Dorado, Arkansas, for drug prevention and after school programs, \$25,000";

(6) the provision specifying \$100,000 for the American Academy of Liberal Education, Washington, D.C., to develop projects and survey best practices in the study of American democracy and principles of free government at colleges and universities shall be deleted;

(7) the provision specifying \$400,000 for the Milwaukee Public Schools, Wisconsin, to expand before- and after-school programs shall be deemed to read: "Milwaukee Public Schools, WI, for before- and after-school programs, \$400,000";

(8) the provision specifying \$200,000 for Tensas Reunion, Inc., Newellton, LA, for instructional technology training, and after school programs at the Tensas Charter School shall be deemed to read: "Tensas Reunion, Inc., Newellton, LA, for the TREES Project in Tensas Parish, including activities such as the purchase of computers and educational software, tutoring, and workshops to promote parental involvement, \$200,000";

(9) the provision specifying \$250,000 for Community School District 8, Flushing, NY, for after-school programs shall be deemed to read: "Community School District 8, Bronx, NY, for after-school programs, \$250,000";

(10) the provision specifying \$20,000 for Westside High School, Bakersfield, California, for equipment shall be deemed to read: "West High School, Bakersfield, California, for equipment, \$20,000";

(11) the provision specifying \$1,000,000 for the National Science Center Foundation, Atlanta, Georgia, for educational technology and other purposes shall be deemed to read: "National Science Center Foundation, Augusta, Georgia, for educational technology and other purposes, \$1,000,000";

(12) the provision specifying \$200,000 for the Golden Gate National Parks Association, San Francisco, CA, for environmental education programs at the Crissy Field Center shall be deemed to read: "Golden Gate National Parks Conservancy, San Francisco, CA, for environmental education programs at the Crissy Field Center, \$200,000" and a provision shall be added that reads: "Beresford Community Education in Beresford, SD to expand community education programs, \$150,000";

(13) the provision specifying \$100,000 for the University of South Florida, Tampa, FL, for the Tampa Bay Consortium for the Development of Educational Leaders and the Preparation and Recruitment of Teachers shall be deemed to read: "University of South Florida, Tampa, FL, for the Tampa Bay Consortium for the Development of Educational Leaders, \$100,000";

(14) the provision specifying \$25,000 for the Meredith-Dunn Learning Disabilities Center, Inc., Louisville, Kentucky for technology shall be deemed to read as follows: "Meredith-Dunn Learning Disabilities Center, Inc., Louisville, Kentucky for school counseling services, \$25,000";

(15) the provision specifying \$40,000 for the Father Maloney's Boys Haven, Louisville, Kentucky for technology shall be deemed to read as

follows: "Father Maloney's Boys Haven, Louisville, Kentucky for an educational program, \$40,000";

(16) the provision specifying \$50,000 for the Joel II Restoration Ministries for education programs shall be deemed to read as follows: "Joel II Restoration Outreach, Inc. for education programs, \$50,000"; and

(17) the provision specifying \$1,500,000 for the City of Upland, California, for after school programs shall be deemed to read as follows: "YMCA of the City of Upland, California, for after-school activities, \$1,500,000".

HIGHER EDUCATION

The matter under the heading "Higher Education", in Public Law 108-7 is amended—

(1) by striking "\$2,100,701,000" and inserting "\$2,100,151,000"; and,

(2) by striking "\$140,599,000" and inserting "\$140,049,000".

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 III of Division G, relating to the Fund for the Improvement of Postsecondary Education under the heading "Higher Education"—

(1) the second reference to the provision specifying \$1,000,000 for the University of Massachusetts-Boston to purchase research equipment and technology infrastructure shall be deleted;

(2) the provision specifying \$500,000 for Harford County Public Schools, Bel Air, MD, for support of a math and science magnet school program at Aberdeen High School shall be deleted and a provision shall be added that reads: "American Academy of Liberal Education, Washington, D.C., to develop projects and survey best practices in the study of American democracy and principles of free government at colleges and universities, \$100,000";

(3) the provision specifying \$100,000 for Slippery Rock University, Slippery Rock, PA, for Knowledge Pointe at Cranberry Woods, as part of an initiative to provide life-long educational services to Pittsburgh's regional industry and community residents shall be deemed to read as follows: "Regional Learning Alliance, Marshall Township in Allegheny County, PA, as part of an initiative to provide life-long educational services to Pittsburgh's regional industry and community residents, \$200,000";

(4) the provision specifying \$150,000 for Beresford Community Education in Beresford, SD to expand community education programs shall be deleted;

(5) the provision specifying \$100,000 for Slippery Rock University, Slippery Rock, Pennsylvania, for the North Hill Educational Alliance shall be deleted; and

(6) the provision specifying \$250,000 to the National Aviary Conservation Education Technology Integration in Pittsburgh shall be deemed to read as follows: "National Aviary Conservation Education Technology Integration in Pittsburgh, for the Remote Audio-Visual Engagement Network (RAVEN) project, \$250,000".

DEPARTMENT OF EDUCATION

GENERAL PROVISION

Section 1707(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6537(3)) is amended by striking "17" and inserting "19".

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

The matter under the heading "Corporation for National and Community Service, Domestic Volunteer Service Programs, Operating Expenses", in Public Law 108-7 is amended by inserting "for activities authorized by section 122 of Part C of Title I and Part E of Title II of the Domestic Volunteer Service Act of 1973" after "in this Act".

CHAPTER 6

SUBCOMMITTEE ON LEGISLATIVE BRANCH CAPITOL POLICE

TRANSFER OF LIBRARY OF CONGRESS POLICE. Section 1015(a)(3) of the Legislative Branch Appropriations Act, 2003, is amended by inserting "; or, if earlier, on February 20, 2005" before the period.

CHAPTER 7

SUBCOMMITTEE ON TRANSPORTATION, TREASURY AND GENERAL GOVERNMENT

DEPARTMENT OF TRANSPORTATION

(a) Section 336 of Division I of Public Law 108-7 is amended by striking "transportation management" and inserting in lieu thereof "urbanized".

(b) Section 321 of Division I of Public Law 108-7 is amended by—

(1) inserting "or underneath" in subsection (q)(2) before "the Class B airspace";

(2) deleting "has sufficient capacity and" in subsection (q)(3) after "Title 49"; and

(3) inserting "passenger" in subsection (q)(3) before "delays".

GENERAL PROVISIONS, THIS CHAPTER

SEC. 701. It is the sense of the Senate that—

(1) the asset acquisition of Trans World Airlines by American Airlines was a positive action that should be commended;

(2) although the acquisition was a positive action, the combination of the 2 airlines has resulted in a difficult seniority integration for the majority of the employee groups involved;

(3) airline layoffs from American Airlines should be conducted in a manner that maintains the maximum level of fairness and equitable treatment for all parties involved; and

(4) American Airlines should encourage its employee groups to integrate all employees in a manner that is fair and equitable for all parties involved.

SEC. 702. No provision of this Act may be construed as altering or amending the force or effect of any of the following provisions of law as currently applied:

(1) Sections 2631 and 2631a of title 10, United States Code.

(2) Sections 901(b) and 901b of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(b), 1241f).

(3) Public Resolution Numbered 17, Seventy-third Congress (48 Stat. 500).

(4) Any other similar provision of law requiring the use of privately owned United States flag commercial vessels for certain transportation purposes of the United States.

CHAPTER 8

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

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

The referenced statements of managers under the heading "Community development fund" in title II of Public Law 108-7 under grant No. 26 under the Neighborhoods Initiative program is amended by striking "Glendale, Montana" and inserting in lieu thereof "Gendive, Montana".

The referenced statements of managers under the heading "Community development fund" in title II of Public Law 108-7 is amended by striking "\$200,000 for Light of Life Ministries in Allegheny County, Pennsylvania for infrastructure improvements at the Serenity Village homeless programs" and inserting in lieu thereof "\$200,000 for Light of Life Ministries in Allegheny County, Pennsylvania for renovation and infrastructure improvements for a homeless service center on Penn Avenue in Pittsburgh".

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

Under the heading "Salaries and expenses" in title II of Public Law 108-7, strike out in the eighth proviso "and all other statutes and regu-

lations related to the obligation and expenditure of funds made available in this, or any other Act" and strike out in the eleventh proviso "and all other statutes and regulations governing the obligation and expenditure of funds made available in this or any other Act".

INDEPENDENT AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

To liquidate obligations previously incurred by the Corporation for National and Community Service ("Corporation"), up to \$64,000,000 is provided to the National Service Trust: Provided, That the Corporation may use these funds only to liquidate the deficiency that it has already incurred and that these funds are not available for obligation, or to liquidate obligations, for any other purpose whatsoever: Provided further, That the Corporation may not use these funds unless and until it reports these overobligations to the Congress and the President in accordance with the requirements of the Antideficiency Act and the guidance of the Office of Management and Budget in OMB Circular A-11 (2002): Provided further, That the second proviso under the heading "Corporation for National and Community Service" in Public Law 108-7 is deemed to be amended by inserting after "section 501(a)(4)" the following: "with not less than \$2,500,000 for the Office of the Chief Financial Officer to enact financial reform in the Corporation, without regard to the provisions of section 501(a)(4)(B) of the Act".

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

The first sentence under this heading in Public Law 108-7 is amended by striking "\$320,000,000" and inserting in lieu thereof: "\$330,000,000".

ENVIRONMENTAL PROTECTION AGENCY

ADMINISTRATIVE PROVISION

Within 30 days of enactment of this Act, the Administrator of the Environmental Protection Agency shall adjust each "maximum annual fee payable" pursuant to 7 U.S.C. 136a-1(i)(5) (D) and (E) in a manner such that Maintenance Fee collections made to reach the level authorized in division K of Public Law 108-7 shall be established in the same proportion as those Maintenance Fee collections authorized in Public Law 107-73.

GENERAL PROVISIONS, THIS TITLE

SEC. 201. The Secretary of the Army, acting through the Chief of Engineers, shall use \$3,300,000 of funds available under the Construction, General appropriation, Corps of Engineers, Civil, to continue dam safety and seepage stability correction measures for the Waterbury Dam, Vermont project.

TITLE III—COLUMBIA ORBITER MEMORIAL ACT

SEC. 301. SHORT TITLE.

This title may be cited as the "Columbia Orbiter Memorial Act".

SEC. 302. CONSTRUCTION OF MEMORIAL TO CREW OF COLUMBIA ORBITER AT ARLINGTON NATIONAL CEMETERY.

(a) CONSTRUCTION REQUIRED.—The Secretary of the Army shall, in consultation with the Administrator of the National Aeronautics and Space Administration, construct at an appropriate place in Arlington National Cemetery, Virginia, 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.

(b) AVAILABILITY OF FUNDS.—Of the amount appropriated or otherwise made available by title II of the Department of Defense Appropriations Act, 2003 (Public Law 107-248) under the heading "OPERATION AND MAINTENANCE,

ARMY", \$500,000 shall be available for the construction of the memorial marker required by subsection (a).

SEC. 303. DONATIONS FOR MEMORIAL FOR CREW OF COLUMBIA ORBITER.

(a) **AUTHORITY TO ACCEPT DONATIONS.**—The Administrator of the National Aeronautics and Space Administration may accept gifts and donations of services, money, and property (including personal, tangible, or intangible property) for the purpose of an appropriate memorial or monument to 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, whether such memorial or monument is constructed by the Administrator or is the memorial marker required by section 302.

(b) **TRANSFER.**—(1) The Administrator may transfer to the Secretary of the Army any services, money, or property accepted by the Administrator under subsection (a) for the purpose of the construction of the memorial marker required by section 302.

(2) Any moneys transferred to the Secretary under paragraph (1) shall be merged with amounts in the account referred to in subsection (b) of section 302, and shall be available for the purpose referred to in that subsection.

(c) **EXPIRATION OF AUTHORITY.**—The authority of the Administrator to accept gifts and donations under subsection (a) shall expire five years after the date of the enactment of this Act.

TITLE IV—AVIATION INDUSTRY RELIEF PROVISIONS

SEC. 401. TEMPORARY SUSPENSION OF SECURITY SERVICE FEES.

The Undersecretary of Homeland Security for Border and Transportation Security shall not impose the fees authorized by section 44940(a) of title 49, United States Code, during the period beginning on April 1, 2003, and ending on September 30, 2003.

SEC. 402. REIMBURSEMENT OF AIRLINES FOR CERTAIN INCREASED SECURITY COSTS.

There are appropriated to the Secretary of Transportation for fiscal year 2003 \$1,000,000,000, such sums to remain available until expended, \$600,000,000 of which shall be used to reimburse each air carrier engaged in air transportation and intrastate air transportation of passengers for compensation (as such terms are used in subtitle VII of title 49, United States Code) for the amount by which the costs incurred by such air carrier during calendar year 2002 in complying with aviation security requirements imposed by Federal law, including requirements imposed by the Transportation Security Administration, exceeded the aviation security costs the carrier would have incurred during that year in the absence of those requirements, and \$400,000,000 of which shall be used to reimburse each such air carrier for the amount by which the costs incurred by the air carrier during calendar year 2003 exceeded the aviation security costs the carrier would have incurred during that year in the absence of those requirements, such costs to be determined by studies conducted by the air carriers in accordance with guidelines to be developed, within 30 days after the date of enactment of this Act, by the Undersecretary of Homeland Security for Border and Transportation Security in consultation with the Secretary of Transportation, describing in detail, by function, amount, and class (including operating expenses, capital expenditures, and one time and recurring costs), the costs for which reimbursement is sought: Provided, That the Inspector General of the Department of Transportation certifies the guidelines as being appropriate to determine such costs: Provided further, That the Inspector General certifies as complete and accurate all claims submitted by an air carrier for reimbursement under this section, and: Provided further, That if the sum of

the costs to be reimbursed to all such air carriers for 2002 exceeds \$600,000,000, the amount of the reimbursement to each such carrier shall be an amount that bears the same ratio to \$600,000,000 as the reimbursable cost of that carrier bears to the sum of the reimbursable costs of all such carriers for that year, and if the sum of the costs to be reimbursed to all such air carriers for 2003 exceeds \$400,000,000, the amount of the reimbursement to each such carrier shall be an amount that bears the same ratio to \$400,000,000 as the reimbursable cost of that carrier bears to the sum of the reimbursable costs of all such carriers for that year.

SEC. 403. ADDITIONAL AMOUNT FOR COCKPIT DOOR REIMBURSEMENT.

In addition to amounts appropriated under the preceding section, there are appropriated to the Secretary of Transportation \$100,000,000, to remain available until expended, to compensate air carriers for the direct costs associated with the strengthening of flight deck doors and locks on aircraft required by section 104(a)(1)(B) of the Aviation and Transportation Security Act.

SEC. 404. AIRPORT SECURITY EXPENSES AND INVESTMENT.

There are appropriated to the Secretary of Transportation \$375,000,000, to remain available until expended, to be made available, after consultation with the Secretary of Homeland Security, to airports for operating expenses and capital investment related to improvements in aviation security: Provided, That the amounts made available for capital expenses shall be made available to airport sponsors, as such term is used in chapter 471 of title 49, United States Code, on such terms and conditions, and pursuant to such applications, similar to the terms, conditions, and applications applicable to amounts made available under that chapter.

SEC. 405. EXTENSION OF WAR RISK INSURANCE AUTHORITY.

(a) **EXTENSION OF POLICIES.**—Section 44302(f)(1) of title 49, United States Code, is amended by striking "2003," each place it appears and inserting "2004,".

(b) **EXTENSION OF LIABILITY LIMITATION.**—Section 44303(b) of such title is amended by striking "2003," and inserting "2004,".

(c) **EXTENSION OF AUTHORITY.**—Section 44310 of such title is amended by striking "2003." and inserting "2004,".

SEC. 406. LIMIT ON EXECUTIVE COMPENSATION REQUIRED FOR EXTENDED WAR RISK INSURANCE COVERAGE.

(a) **IN GENERAL.**—Notwithstanding any provision of law to the contrary, the Secretary of Transportation may not provide insurance or reinsurance under chapter 443 of title 49, United States Code, after August 31, 2003, and before January 1, 2005, to an air carrier operating aircraft for the transportation of passengers for compensation unless that air carrier executes a contract with the Secretary under which the air carrier agrees that—

(1) it will not provide total compensation during the 12-month period beginning on April 1, 2003, or the subsequent 12-month period, to an executive officer in an amount equal to more than the annual salary paid to that officer during the air carrier's fiscal year 2002; and

(2) if the air carrier violates its agreement under paragraph (1), it will pay to the Secretary of the Treasury, within 60 days after the date on which the violation occurs, an amount, determined by the Secretary of Transportation, equal to the difference between—

(A) the amount it paid for insurance provided or reinsured under chapter 443 of such title for the 12-month period in which the violation occurred; and

(B) the amount it would have paid for the same or similar insurance coverage for that period if the insurance had not been provided or reinsured under that chapter.

(b) **EXECUTIVE OFFICERS EMPLOYED FOR LESS THAN 12 MONTHS IN FISCAL YEAR 2002 OR WHOSE**

EMPLOYMENT COMMENCED AFTER FISCAL YEAR 2002.—For the purpose of applying subsection (a)(1) to an executive officer—

(1) who was employed by an air carrier for less than 12 months during the air carrier's fiscal year 2002, or whose employment began after the last day of the last fiscal year of such air carrier ending before the date of enactment of this Act—

(A) the salary paid to that executive officer in that air carrier's fiscal year 2002, or in the next fiscal year of that air carrier (if such next fiscal year began before the date of enactment of this Act), respectively, shall be determined as an annual rate of pay;

(B) that annual rate of pay shall be treated as if it were the annual salary paid to that executive officer during that air carrier's fiscal year 2002; and

(C) that executive officer shall be deemed to have been employed during that fiscal year; and

(2) whose employment begins after the date of enactment of this Act—

(A) the annual salary at which that executive officer is first employed by an air carrier may not exceed the maximum salary paid to any executive officer by that air carrier during that air carrier's fiscal year 2002 with the same or similar responsibilities;

(B) that salary shall be treated as if it were the annual salary paid to the executive officer during that air carrier's fiscal year 2002; and

(C) the executive officer shall be deemed to have been employed by that air carrier during that air carrier's fiscal year 2002.

(c) **AUDIT AUTHORITY.**—The Comptroller General, or any of the Comptroller General's duly authorized representatives, shall have access for the purpose of audit and examination to any books, accounts, documents, papers, and records of such air carriers that relate to the information required to implement subsection (a). The Comptroller General shall transmit a report of any investigation conducted under this subsection to the Senate Committee on Appropriations, the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Appropriations, and the House of Representatives Committee on Transportation and Infrastructure, together with a certification as to whether the Comptroller General has had access to sufficient information to make informed judgments on the matters covered by the report.

(d) **DEFINITIONS.**—In this section:

(1) **EXECUTIVE OFFICER.**—The term "executive officer" means a named executive officer (as that term is used in section 402(a)(3) of Regulation S-K promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. 229.402(a)(3))).

(2) **TOTAL COMPENSATION.**—The term "total compensation" has the meaning given that term by section 104(b) of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), but does not include amounts paid, under a contract, retirement plan, or other legally binding arrangement in effect on March 26, 2003, to an executive officer on account of that executive's retirement or termination of employment.

SEC. 407. GAO REPORT ON AIRLINES ACTIONS TO IMPROVE FINANCES AND ON EXECUTIVE COMPENSATION.

(a) **FINDING.**—The Congress finds that the United States government has by law provided substantial financial assistance to United States commercial airlines in the form of war risk insurance and reinsurance and other economic benefits and has imposed substantial economic and regulatory burdens on those airlines. In order to determine the economic viability of the domestic commercial airline industry and to evaluate the need for additional measures or the modification of existing laws, the Congress needs more frequent information and independently verified information about the financial condition of these airlines.

(b) SEMIANNUAL REPORTS.—The Comptroller General shall prepare a semiannual report to the Congress—

(1) analyzing measures being taken by air carriers engaged in air transportation and intrastate air transportation (as such terms are used in subtitle VII of title 49, United States Code) to reduce costs and to improve their earnings and profits and balance sheets; and

(2) stating—

(A) the total compensation (as defined in section 104(b) of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note)) paid by the air carrier to each officer or employee of that air carrier to whom that section applies for the period to which the report relates; and

(B) the terms and value (determined on the basis of the closing price of the stock on the last business day of the period to which the report relates) of any stock options awarded to such officer during that period.

(c) GAO AUTHORITY.—In order to compile the reports required by subsection (b), the Comptroller General, or any of the Comptroller General's duly authorized representatives, shall have access for the purpose of audit and examination to any books, accounts, documents, papers, and records of such air carriers that relate to the information required to compile the reports. The Comptroller General shall submit with each such report a certification as to whether the Comptroller General has had access to sufficient information to make informed judgments on the matters covered by the report.

(d) REPORTS TO CONGRESS.—The Comptroller General shall transmit the compilation of reports required by subsection (c) to Senate Committee on Appropriations, the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Appropriations, and the House of Representatives Committee on Transportation and Infrastructure.

SEC. 408. AIR CARRIERS TO SUBMIT OPERATIONAL EXPENSE REDUCTION PLANS.

(a) IN GENERAL.—Each air carrier that receives financial assistance under this Act shall transmit a plan to the Comptroller General within 90 days after the date of enactment of this Act that, if implemented, will reduce that air carrier's annual operating expenses by an amount equal to the greater of—

(1) 10 percent of that carrier's annual operating expenses determined as of June 15, 2002; or

(2) the amount of financial assistance that air carrier has received or will receive under this Act.

(b) OPERATING EXPENSES.—In determining annual operating expenses for purposes of this section, an air carrier shall compute operating expenses attributable to fuel on the basis of the average price of such fuel for June 15, 2002.

SEC. 409. ADDITIONAL TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION FOR DISPLACED AIRLINE RELATED WORKERS.

(a) DEFINITIONS.—For purposes of this section—

(1) the term "eligible individual" means an individual whose eligibility for temporary extended unemployment compensation under the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), is or would be based on the exhaustion of regular compensation, entitlement to which was based in whole or in part on qualifying employment performed during such individual's base period;

(2) the term "qualifying employment", with respect to an eligible individual, means employment—

(A) with an air carrier, employment at a facility at an airport, that involves the provision of transportation to or from an airport, or with an upstream producer or supplier for an air carrier; and

(B) as determined by the Secretary, separation from which was due, in whole or in part, to—

(i) reductions in service by an air carrier as a result of a terrorist action or security measure;

(ii) a closure of an airport in the United States as a result of a terrorist action or security measure; or

(iii) a military conflict with Iraq that has been authorized by Congress;

(3) the term "air carrier" means an air carrier that holds a certificate issued under chapter 411 of title 49, United States Code;

(4) the term "upstream producer" means a firm that performs additional, value-added, production processes, including firms that perform final assembly, finishing, or packaging of articles, for another firm;

(5) the term "supplier" means a firm that produces component parts for, or articles and contract services considered to be a part of the production process or services for, another firm;

(6) the term "Secretary" means the Secretary of Labor; and

(7) the term "terrorist action or security measure" means a terrorist attack on the United States on September 11, 2001, or a security measure taken in response to such attack.

(b) ADDITIONAL TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION FOR ELIGIBLE EMPLOYEES.—In the case of an eligible employee, the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), shall be applied as if it had been amended in accordance with subsection (c).

(c) MODIFICATIONS.—

(1) IN GENERAL.—For purposes of subsection (b), the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), shall be treated as if it had been amended as provided in this subsection.

(2) PROGRAM EXTENSION.—Deem section 208 of the Temporary Extended Unemployment Compensation Act of 2002, as amended by Public Law 108-1 (117 Stat. 3), to be amended to read as follows:

"SEC. 208. APPLICABILITY.

"(a) IN GENERAL.—Subject to subsection (b), an agreement entered into under this title shall apply to weeks of unemployment—

"(1) beginning after the date on which such agreement is entered into; and

"(2) ending before December 29, 2003.

"(b) TRANSITION FOR AMOUNT REMAINING IN ACCOUNT.—

"(1) IN GENERAL.—Subject to paragraph (2), in the case of an individual who has amounts remaining in an account established under section 203 as of December 28, 2003, temporary extended unemployment compensation shall continue to be payable to such individual from such amounts for any week beginning after such date for which the individual meets the eligibility requirements of this title, including such compensation payable by reason of amounts deposited in such account after such date pursuant to the application of subsection (c) of such section.

"(2) LIMITATION.—No compensation shall be payable by reason of paragraph (1) for any week beginning after December 26, 2004."

(3) ADDITIONAL WEEKS OF BENEFITS.—Deem section 203 of the Temporary Extended Unemployment Compensation Act of 2002, as amended by Public Law 108-1 (117 Stat. 3), to be amended—

(A) in subsection (b)(1)—

(i) in subparagraph (A), by striking "50" and inserting "150"; and

(ii) by striking "13" and inserting "39"; and

(B) in subsection (c)(1), by inserting "1/3 of" after "equal to".

(4) EFFECTIVE DATE OF MODIFICATIONS DESCRIBED IN PARAGRAPH (3).—

(A) IN GENERAL.—The amendments described in paragraph (3)—

(i) shall be deemed to have taken effect as if included in the enactment of the Temporary Ex-

tended Unemployment Compensation Act of 2002; but

(ii) shall be treated as applying only with respect to weeks of unemployment beginning on or after the date of enactment this Act, subject to subparagraph (B).

(B) SPECIAL RULES.—In the case of an eligible individual for whom a temporary extended unemployment account was established before the date of enactment of this Act, the Temporary Extended Unemployment Compensation Act of 2002 (as amended by this section) shall be applied subject to the following:

(i) Any amounts deposited in the individual's temporary extended unemployment compensation account by reason of section 203(c) of such Act (commonly known as "TEUC-X amounts") before the date of enactment of this Act shall be treated as amounts deposited by reason of section 203(b) of such Act (commonly known as "TEUC amounts"), as deemed to have been amended by paragraph (3)(A).

(ii) For purposes of determining whether the individual is eligible for any TEUC-X amounts under such Act, as deemed to be amended by this subsection—

(I) any determination made under section 203(c) of such Act before the application of the amendment described in paragraph (3)(B) shall be disregarded; and

(II) any such determination shall instead be made by applying section 203(c) of such Act, as deemed to be amended by paragraph (3)(B)—

(aa) as of the time that all amounts established in such account in accordance with section 203(b) of such Act (as deemed to be amended under this subsection, and including any amounts described in clause (i)) are in fact exhausted, except that

(bb) if such individual's account was both augmented by and exhausted of all TEUC-X amounts before the date of enactment of this Act, such determination shall be made as if exhaustion (as described in section 203(c)(1) of such Act) had not occurred until such date of enactment.

TITLE V—PANEL TO REVIEW SEXUAL MISCONDUCT ALLEGATIONS AT UNITED STATES AIR FORCE ACADEMY

SEC. 501. ESTABLISHMENT OF PANEL.

(a) ESTABLISHMENT.—There is established a panel to review allegations of sexual misconduct allegations at the United States Air Force Academy.

(b) COMPOSITION.—The panel shall be composed of seven members, appointed by the Secretary of Defense from among private United States citizens who have knowledge or expertise in matters relating to sexual assault, rape, and the United States military academies.

(c) CHAIRMAN.—The Secretary of Defense shall, in consultation with the Chairmen of the Committees on Armed Services of the Senate and House of Representatives, select the Chairman of the panel from among its members under subsection (b).

(d) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the panel. Any vacancy in the panel shall be filled in the same manner as the original appointment.

(e) MEETINGS.—The panel shall meet at the call of the Chairman.

(f) INITIAL ORGANIZATION REQUIREMENTS.—(1) All original appointments to the panel shall be made not later than May 1, 2003.

(2) The Chairman shall convene the first meeting of the panel not later than May 2, 2003.

SEC. 502. DUTIES OF PANEL.

(a) IN GENERAL.—The panel established under section 501(a) shall carry out a study in order to determine responsibility and accountability for the establishment or maintenance of an atmosphere at the United States Air Force Academy that was conducive to sexual misconduct (including sexual assaults and rape) at the United States Air Force Academy.

(b) REVIEW.—In carrying out the study required by subsection (a), the panel shall—

(1) the actions taken by United States Air Force academy personnel and other Department of the Air Force officials in response to allegations of sexual assaults at the United States Air Force Academy;

(2) review directives issued by the United States Air Force pertaining to sexual misconduct at the United States Air Force Academy;

(3) review the effectiveness of the process, procedures, and policies used at the United States Air Force Academy to respond to allegations of sexual misconduct;

(4) review the relationship between—

(A) the command climate for women at the United States Air Force Academy, including factors that may have produced a fear of retribution for reporting sexual misconduct; and

(B) the circumstances that resulted in sexual misconduct at the Academy; and

(5) review, evaluate, and assess such other matters and materials as the panel considers appropriate for the study.

(c) REPORT.—(1) Not later than 90 days after its first meeting under section 501(f)(2), the panel shall submit a report on the study required by subsection (a) to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives.

(2) The report shall include—

(A) the findings and conclusions of the panel as a result of the study; and

(B) any recommendations for legislative or administrative action that the panel considers appropriate in light of the study.

SEC. 503. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—(1) Members of the panel established under section 501(a) shall serve without pay by reason of their work on the panel.

(2) Section 1342 of title 31, United States Code, shall not apply to the acceptance of services of a member of the panel under this title.

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

TITLE VI—GENERAL PROVISIONS

SEC. 601. Section 624 of division B of the Consolidated Appropriations Resolution, 2003 (Public Law 108-7), is amended by inserting before the period at the end: “and, effective as of October 1, 2002, by inserting ‘and subject to the provisions of Public Law 108-8,’ after ‘until expended.’”

SEC. 602. EXTENSION OF ENERGY SAVINGS PERFORMANCE CONTRACTING AUTHORITY. Section 801(c) of the National Energy Conservation Policy Act (42 U.S.C. 8287(c)) is amended by striking “October 1, 2003” and inserting “December 31, 2004”.

SEC. 603. None of the funds in this Act may be obligated or expended to pay for transportation described in section 41106 of title 49, United States Code, to be performed by any air carrier that is not effectively controlled by citizens of the United States.

SEC. 604. Section 626 of title VI of division B of Public Law 108-7 is amended by striking “previously”.

SEC. 605. Section 7304 of Public Law 107-110 is amended by striking “such as” and inserting in lieu thereof “operated by”.

SEC. 606. Section 1605 of title 28, United States Code, is amended by adding at the end the following new subsection:

“(h) CLAIMS FOR MONEY DAMAGES FOR DEATH OR PERSONAL INJURY.—(1) Any United States citizen who dies or suffers injury caused by a foreign state’s act of torture, extrajudicial killing, aircraft sabotage, or hostage taking committed on or after November 1, 1979, and any member of the immediate family of such citizen, shall have a claim for money damages against

such foreign state, as authorized by subsection (a)(7), for death or personal injury (including economic damages, solatium, pain and suffering).

“(2) A claim under paragraph (1) shall not be barred or precluded by the Algiers Accords.”.

SEC. 607. Section 127b(b) of title 10, United States Code, is amended by striking “\$200,000” and inserting “\$5,000,000”.

This Act may be cited as the “Supplemental Appropriations Act to Support Department of Defense Operations in Iraq for Fiscal Year 2003”.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today’s Executive Calendar: Calendar Nos. 108, 109, 110, 111, 112, 113, 114, and 115. I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate’s action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

DEPARTMENT OF JUSTICE

Raul David Bejarano, of California, to be United States Marshal for the Southern District of California for the term of four years.

Allen Garber, Minnesota, to be United States Marshal for the District of Minnesota for the term of four years.

SECURITIES INVESTOR PROTECTION CORPORATION

Noe Hinojosa, Jr., of Texas, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2003.

Noe Hinojosa, Jr., of Texas, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2006.

Thomas Waters Grant of New York, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2005.

William Robert Timken, Jr., of Ohio, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2003.

William Robert Timken, Jr., of Ohio, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2006.

NATIONAL CONSUMER COOPERATIVE BANK

Alfred Plamann, of California, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

HONORING MARY JANE JENKINS OGILVIE

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of S. Res. 110, which was submitted earlier today by Senator KYL.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 110) honoring Mary Jane Jenkins Ogilvie, wife of former Senate Chaplain, Reverend Dr. Lloyd John Ogilvie.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BENNETT. I would like to comment, Mr. President, about Mary Jane Ogilvie. Many public men are described in their own right for their own accomplishments, and then their wives are referred to casually.

Senator Alan Simpson’s wife, who took my wife under her wing when we first came here, described it this way. She said: “We are just LWOs, which means ‘lovely wives of.’”

Mary Jane Ogilvie was indeed the lovely wife of our Chaplain, Lloyd Ogilvie, but she was far, far more than an appendage to her husband. She had her own contribution to make to this body and to all of the Members in it.

Many wives of important men do not want to have anything to do with their husbands’ careers and create areas of their own. They do not have an interest in what their husband does. Mary Jane Ogilvie was an incredibly important part of Lloyd Ogilvie’s entire career.

The two of them were a team, inseparable. Her faith was as strong as his. Her dedication to the ministry and to the Gospel, as they understood it, was as deep as his. And her friendships forged here in the Senate were as strong as his. She was, as I say, an integral part of the ministry he performed here.

When she became too ill to carry on her portion of that ministry, he was unable to carry on his, which was very appropriate, in my view, because they were a team. He had his priorities straight, and he realized that, as important as his work here was, his duty to his wife was even greater.

When it became necessary for her, as she sought to find treatment for her condition, to move to California, there was never a doubt in Lloyd Ogilvie’s mind that he would move with her. They were a team.

Some would have said: Well, she is hospitalized. I have a career. I will stay here. I will call her on weekends or get out there when I can, but I will let her go forward on her own. Lloyd Ogilvie is not that kind of a man, and their marriage was not that kind of a marriage. When she needed him, she had him, which is a manifestation of the fact that when he needed her, he had her.

So this resolution is but a small token of the Senate’s gratitude for the contribution that Mary Jane Ogilvie made to the lives of all of us.

My wife and I were privileged enough to become friends of this team. We went to dinner together. We had conversations about our families. We had conversations about religion. We had