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108TH CONGRESS
1ST SESSION

H. R. 1559

[Report No. 108-55]

Making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2003

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

A BILL

Making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2003, and for other pur-
6 poses, namely:

1 TITLE I—WAR-RELATED APPROPRIATIONS

2 CHAPTER 1

3 DEPARTMENT OF AGRICULTURE

4 PUBLIC LAW 480 TITLE II GRANTS

5 For an additional amount for “Public Law 480 Title
6 II Grants”, \$250,000,000, to remain available until ex-
7 pended.

8 BILL EMERSON HUMANITARIAN TRUST

9 The Secretary of Agriculture shall utilize the funds
10 and authorities of the Commodity Credit Corporation to
11 acquire a quantity of commodities for use in administering
12 the Bill Emerson Humanitarian Trust in an amount equal
13 to the quantity utilized by the Corporation pursuant to
14 the release of March 20, 2003, relating to the use of com-
15 modities for assistance in Iraq: *Provided*, That notwith-
16 standing any other provision of law, monetization of stocks
17 in the Bill Emerson Humanitarian Trust to purchase dif-
18 ferent commodities for humanitarian aid to Iraq is prohib-
19 ited.

1 CHAPTER 2

2 DEPARTMENT OF JUSTICE

3 GENERAL ADMINISTRATION

4 SALARIES AND EXPENSES

5 For an additional amount for “General Administra-
6 tion, Salaries and Expenses”, \$5,000,000, to remain avail-
7 able until September 30, 2004.

8 COUNTERTERRORISM FUND

9 For an additional amount for “Counterterrorism
10 Fund”, \$50,000,000, to remain available until December
11 31, 2003: *Provided*, That funds provided under this para-
12 graph shall be available only after the Attorney General
13 notifies the Committees on Appropriations of the House
14 of Representatives and the Senate in accordance with sec-
15 tion 605 of Division B of Public Law 108–7.

16 DETENTION TRUSTEE

17 For an additional amount for “Detention Trustee”
18 for the detention of Federal prisoners in the custody of
19 the United States Marshals Service, \$15,000,000.

20 OFFICE OF INSPECTOR GENERAL

21 For an additional amount for “Office of Inspector
22 General”, \$2,500,000, to remain available until September
23 30, 2004.

1 LEGAL ACTIVITIES

2 SALARIES AND EXPENSES, UNITED STATES MARSHALS

3 SERVICE

4 For an additional amount for “Salaries and Ex-
5 penses, United States Marshals Service” for necessary ex-
6 penses, \$26,080,000, to remain available until September
7 30, 2004.

8 FEDERAL BUREAU OF INVESTIGATION

9 SALARIES AND EXPENSES

10 For an additional amount for “Federal Bureau of In-
11 vestigations, Salaries and Expenses”, \$398,862,000, to re-
12 main available until September 30, 2004.

13 THE JUDICIARY

14 SUPREME COURT OF THE UNITED STATES

15 SALARIES AND EXPENSES

16 For an additional amount for “Supreme Court of the
17 United States, Salaries and Expenses” for police enhance-
18 ments, \$1,535,000, to remain available until September
19 30, 2004.

20 UNITED STATES COURT OF APPEALS FOR THE

21 FEDERAL CIRCUIT

22 SALARIES AND EXPENSES

23 For an additional amount for “United States Court
24 of Appeals for the Federal Circuit, Salaries and Expenses”

1 for court security officer expenses, \$973,000, to remain
2 available until September 30, 2004.

3 UNITED STATES COURT OF INTERNATIONAL
4 TRADE
5 SALARIES AND EXPENSES

6 For an additional amount for “United States Court
7 of International Trade, Salaries and Expenses” to en-
8 hance security, \$50,000.

9 DEPARTMENT OF STATE AND RELATED
10 AGENCY

11 DEPARTMENT OF STATE
12 ADMINISTRATION OF FOREIGN AFFAIRS
13 DIPLOMATIC AND CONSULAR PROGRAMS

14 For an additional amount for “Diplomatic and Con-
15 sular Programs”, \$106,420,000, to remain available until
16 December 31, 2003.

17 EMBASSY SECURITY, CONSTRUCTION, AND
18 MAINTENANCE

19 For an additional amount for “Embassy Security,
20 Construction, and Maintenance”, \$71,500,000, to remain
21 available until expended.

1 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
2 SERVICE

3 For an additional amount for “Emergencies in the
4 Diplomatic and Consular Service”, \$65,708,000, to re-
5 main available until expended.

6 RELATED AGENCY

7 BROADCASTING BOARD OF GOVERNORS

8 INTERNATIONAL BROADCASTING OPERATIONS

9 For an additional amount for “International Broad-
10 casting Operations” for activities related to the Middle
11 East Television Network broadcasting to the Middle East
12 and radio broadcasting to Iraq, \$30,500,000, to remain
13 available until September 30, 2004.

14 GENERAL PROVISIONS—THIS CHAPTER

15 SEC. 1201. Funds appropriated under this Chapter
16 for the Broadcasting Board of Governors and the Depart-
17 ment of State may be obligated and expended notwith-
18 standing section 313 of the Foreign Relations Authoriza-
19 tion Act, Fiscal Years 1994 and 1995, and section 15 of
20 the State Department Basic Authorities Act of 1956, as
21 amended.

1 CHAPTER 3
2 DEPARTMENT OF DEFENSE—MILITARY
3 OPERATION AND MAINTENANCE
4 OPERATION AND MAINTENANCE, DEFENSE-
5 WIDE

6 For an additional amount for “Operation and Main-
7 tenance, Defense-Wide”, \$1,400,000,000, to remain avail-
8 able until September 30, 2004, which may be used, not-
9 withstanding any other provision of law, for payments to
10 reimburse Pakistan, Jordan, and other key cooperating
11 nations, for logistical and military support provided, or to
12 be provided, to United States military operations in con-
13 nection with military action in Iraq and the global war
14 on terrorism: *Provided*, That such payments may be made
15 in such amounts as the Secretary of Defense, with concur-
16 rence of the Secretary of State and in consultation with
17 the Director of the Office of Management and Budget,
18 may determine, in his discretion, and such determination
19 is final and conclusive upon the accounting officers of the
20 United States: *Provided further*, That unless expressly
21 provided for in an appropriations act enacted after the
22 date of enactment of this Act, and notwithstanding any
23 other provision of law, no funds other than those addi-
24 tional amounts provided herein shall be made available for
25 any payments intended to fulfill the purposes specified in

1 this paragraph and similar reimbursement authorities ex-
2 pressly provided in section 304 of Public Law 107-117
3 and within the “Operation and Maintenance, Defense-
4 Wide” appropriation account enacted in Public Law 107-
5 206: *Provided further*, That the Committees on Appropria-
6 tions of the House and Senate shall be notified in writing
7 at least seven days prior to the obligation of funds for
8 payments to Pakistan, Jordan, or other key cooperating
9 nations: *Provided further*, That not later than 30 days fol-
10 lowing enactment of this Act, the Secretary of Defense
11 shall submit a report in writing to the Committees on Ap-
12 propriations that includes a financial plan for the obliga-
13 tion and expenditure of such funds: *Provided further*, That
14 if such report is not provided to the Committees on Appro-
15 priations by the date specified in the previous proviso, un-
16 obligated balances of funds in this account that are avail-
17 able from the amounts provided in this paragraph shall
18 be returned to the Treasury of the United States: *Provided*
19 *further*, That, beginning not later than June 30, 2003, and
20 ending on September 30, 2004, the Secretary of Defense
21 shall provide quarterly reports to the Committees on Ap-
22 propriations of the House and Senate on the uses of funds
23 made available for payments to Pakistan, Jordan, and
24 other key cooperating nations for logistical and military
25 support provided to United States military operations in

1 connection with military action in and around Iraq and
2 the global war on terrorism.

3 OPERATION IRAQI FREEDOM RESPONSE FUND

4 (INCLUDING TRANSFER OF FUNDS)

5 For incremental costs of the Department of Defense
6 associated with the global war on terrorism and operations
7 in and around Iraq as part of operations currently known
8 as Operation Iraqi Freedom: \$59,682,500,000 is appro-
9 priated to the "Operation Iraqi Freedom Response Fund",
10 which is hereby established in the Treasury of the United
11 States. Funds appropriated or transferred to the "Oper-
12 ation Iraqi Freedom Response Fund" shall remain avail-
13 able until expended.

14 Of the funds appropriated under this heading, and
15 in addition, such sums as may be transferred, or are other-
16 wise available, from current and future balances in the De-
17 fense Cooperation Account and the Natural Resources
18 Risk Remediation Fund (only to the extent said funds are
19 available pursuant to the authorities and limitations in
20 current law and those further enumerated in chapter 3
21 of this Act), and only for expenses, not otherwise provided
22 for, necessary to finance the estimated partial costs of op-
23 erations associated with Operation Iraqi Freedom and
24 other operations and related activities in support of the
25 global war on terrorism (including Operations Enduring

1 Freedom and Noble Eagle), there is hereby made available
2 a total amount of not to exceed \$59,682,500,000, only for
3 transfer to the following accounts in not to exceed the fol-
4 lowing amounts:

5 MILITARY PERSONNEL

6 (TRANSFER OF FUNDS)

7 MILITARY PERSONNEL, ARMY

8 For an additional amount for "Military Personnel,
9 Army", \$6,974,500,000.

10 MILITARY PERSONNEL, NAVY

11 For an additional amount for "Military Personnel,
12 Navy", \$1,984,300,000.

13 MILITARY PERSONNEL, MARINE CORPS

14 For an additional amount for "Military Personnel,
15 Marine Corps", \$1,204,900,000.

16 MILITARY PERSONNEL, AIR FORCE

17 For an additional amount for "Military Personnel,
18 Air Force", \$1,834,800,000.

19 RESERVE PERSONNEL, ARMY

20 For an additional amount for "Reserve Personnel,
21 Army", \$3,000,000.

22 NATIONAL GUARD PERSONNEL, ARMY

23 For an additional amount for "National Guard Per-
24 sonnel, Army", \$93,000,000.

1 OPERATION AND MAINTENANCE

2 (TRANSFER OF FUNDS)

3 OPERATION AND MAINTENANCE, ARMY

4 For an additional amount for "Operation and Main-
5 tenance, Army", \$10,481,500,000, of which \$874,000,000
6 shall remain available for obligation until September 30,
7 2004.

8 OPERATION AND MAINTENANCE, NAVY

9 For an additional amount for "Operation and Main-
10 tenance, Navy", \$3,940,300,000, of which
11 \$1,909,000,000 shall remain available for obligation until
12 September 30, 2004.

13 OPERATION AND MAINTENANCE, MARINE CORPS

14 For an additional amount for "Operation and Main-
15 tenance, Marine Corps", \$1,383,700,000, of which
16 \$786,000,000 shall remain available for obligation until
17 September 30, 2004.

18 OPERATION AND MAINTENANCE, AIR FORCE

19 For an additional amount for "Operation and Main-
20 tenance, Air Force", \$3,668,200,000, of which
21 \$359,000,000 shall remain available for obligation until
22 September 30, 2004.

23 OPERATION AND MAINTENANCE, DEFENSE-WIDE

24 For an additional amount for "Operation and Main-
25 tenance, Defense-Wide", \$901,900,000.

1 OPERATION AND MAINTENANCE, ARMY NATIONAL

2 GUARD

3 For an additional amount for “Operation and Main-
4 tenance, Army National Guard”, \$58,400,000.

5 DEFENSE HEALTH PROGRAM

6 For an additional amount for “Defense Health Pro-
7 gram”, \$301,700,000.

8 PROCUREMENT

9 (TRANSFER OF FUNDS)

10 AIRCRAFT PROCUREMENT, ARMY

11 For an additional amount for “Aircraft Procurement,
12 Army”, \$4,100,000.

13 MISSILE PROCUREMENT, ARMY

14 For an additional amount for “Missile Procurement,
15 Army”, \$3,100,000.

16 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

17 VEHICLES, ARMY

18 For an additional amount for “Procurement of Weap-
19 ons and Tracked Combat Vehicles, Army”, \$53,300,000.

20 PROCUREMENT OF AMMUNITION, ARMY

21 For an additional amount for “Procurement of Am-
22 muniton, Army”, \$447,500,000.

23 OTHER PROCUREMENT, ARMY

24 For an additional amount for “Other Procurement,
25 Army”, \$241,800,000.

1 OTHER PROCUREMENT, AIR FORCE

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

4 PROCUREMENT, DEFENSE-WIDE

5 For an additional amount for "Procurement, De-
6 fense-Wide", \$451,000,000.

7 RESEARCH, DEVELOPMENT, TEST AND

8 EVALUATION

9 (TRANSFER OF FUNDS)

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

11 ARMY

12 For an additional amount for "Research, Develop-
13 ment, Test and Evaluation, Army", \$11,500,000.

14 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

15 DEFENSE-WIDE

16 For an additional amount for "Research, Develop-
17 ment, Test and Evaluation, Defense-Wide", \$90,000,000,
18 to remain available for obligation until September 30,
19 2004.

20 COMBAT, STABILITY OPERATIONS, AND FORCE

21 RECONSTITUTION COSTS

22 (TRANSFER OF FUNDS)

23 For additional expenses, to be derived by transfer
24 from the "Operation Iraqi Freedom Response Fund", not
25 otherwise provided for, necessary to finance the estimated

1 partial costs of combat, stability operations (including nat-
2 ural resource risk remediation activities), force reconstitu-
3 tion and munitions/equipment replacement, and other re-
4 lated costs, an amount not to exceed \$25,436,400,000, of
5 which not less than \$4,000,000,000 shall be withheld from
6 obligation until after July 1, 2003, as a reserve for any
7 additional incremental fiscal year 2003 Military Personnel
8 and "Defense Health Program" costs that may be in-
9 curred above the amounts provided elsewhere in this chap-
10 ter or previously enacted defense appropriations: *Provided*,
11 That the Secretary of Defense shall not make any transfer
12 from the "Operation Iraqi Freedom Response Fund", the
13 "Defense Cooperation Account", or the "Natural Re-
14 sources Risk Remediation Fund" to appropriations, pro-
15 grams and activities cited under this heading, until seven
16 days after notifying the Committees on Appropriations of
17 the Senate and House of Representatives of the amounts
18 and purposes of any such transfer: *Provided further*, That
19 subject to the limitations stated above, amounts provided
20 under this heading shall otherwise be available for obliga-
21 tion in the following amounts, as specified:

22 For classified programs, not less than
23 \$1,817,000,000, which shall remain available for obliga-
24 tion until September 30, 2004, and which shall be in addi-
25 tion to amounts provided elsewhere in this chapter for

1 Procurement, and Research, development, test and evalua-
2 tion;

3 For Operation and maintenance, up to
4 \$20,214,300,000, of which \$4,000,000,000 shall remain
5 available until September 30, 2004, and of which not less
6 than \$8,000,000,000 shall be only for fiscal year 2003
7 costs associated with Operation Enduring Freedom and
8 related costs of the global war on terrorism;

9 For Procurement, up to \$4,242,000,000, to remain
10 available for obligation until September 30, 2004, of which
11 up to \$3,249,400,000 may be made available to replenish
12 munitions and other equipment expended for military op-
13 erations in and around Iraq and the global war on ter-
14 rorism;

15 For Research, development, test, and evaluation, up
16 to \$57,600,000; and

17 For Department of Homeland Security, "United
18 States Coast Guard, Operating Expenses" up to
19 \$400,000,000 to support military activities in connection
20 with Operation Iraqi Freedom and the global war on ter-
21 rorism: *Provided further*, That the transfer authority pro-
22 vided under this heading is in addition to any other trans-
23 fer authority available to the Department of Defense: *Pro-*
24 *vided further*, That upon determinations that all or part
25 of the funds transferred from this appropriation are not

1 necessary for the purposes provided herein, such amounts
2 shall be transferred back to this appropriation or to the
3 “Operation Iraqi Freedom Response Fund”.

4 NATURAL RESOURCES RISK REMEDIATION

5 FUND

6 (INCLUDING TRANSFER OF FUNDS)

7 There is established in the Treasury of the United
8 States a special account to be known as the “Natural Re-
9 sources Risk Remediation Fund”. Funds transferred to,
10 appropriated to, and contributions made to, the “Natural
11 Resources Risk Remediation Fund” may be made avail-
12 able for expenses necessary in connection with Operation
13 Iraqi Freedom to address emergency fire fighting, repair
14 of damage to oil facilities and related infrastructure, and
15 preserve a distribution capability, and may remain avail-
16 able until expended: *Provided*, That not to exceed
17 \$489,300,000 of the funds appropriated under the head-
18 ing “Operation Iraqi Freedom Response Fund” in this Act
19 may be transferred to this fund: *Provided further*, That
20 the Secretary of Defense may accept from any person, for-
21 eign government, or international organization, and credit
22 to this fund, any contribution of money for such purposes:
23 *Provided further*, That the Secretary of Defense may
24 transfer funds available in the Natural Resources Risk Re-
25 mediation Fund to other appropriations or funds of the

1 Department of Defense to carry out such purposes, or to
2 reimburse such appropriations or funds for expenses in-
3 curred for such purposes and such reimbursements may
4 include funds received pursuant to the authority of the
5 previous proviso: *Provided further*, That funds to be trans-
6 ferred shall be merged with and shall be available for the
7 same purposes and for the same time period as the appro-
8 priation or fund to which transferred: *Provided further*,
9 That the transfer authority provided in this paragraph is
10 in addition to any other transfer authority available to the
11 Department of Defense: *Provided further*, That upon a de-
12 termination that all or part of the funds transferred from
13 this appropriation are not necessary for the purposes pro-
14 vided, such amounts may be transferred back to this ap-
15 propriation.

16 REVOLVING AND MANAGEMENT FUNDS

17 DEFENSE WORKING CAPITAL FUNDS

18 For an additional amount for “Defense Working
19 Capital Funds”, \$1,100,000,000.

20 OTHER DEPARTMENT OF DEFENSE PROGRAMS

21 DRUG INTERDICTION AND COUNTER-DRUG

22 ACTIVITIES, DEFENSE

23 (INCLUDING TRANSFER OF FUNDS)

24 For an additional amount for “Drug Interdiction and
25 Counter-Drug Activities, Defense”, \$34,000,000, for

1 transfer subject to the terms and conditions governing
2 such transfers as provided for under this heading in Public
3 Law 107-248.

4 GENERAL PROVISIONS—THIS CHAPTER

5 SEC. 1301. Except as otherwise specifically provided
6 in this chapter, amounts provided to the Department of
7 Defense under each of the headings in this chapter shall
8 be available for the same time period, and subject to the
9 same terms and conditions, as the amounts appropriated
10 or otherwise made available in the Department of Defense
11 Appropriations Act, 2003 (Public Law 107-248) and
12 Making Further Continuing Appropriations for the Fiscal
13 Year 2003, and for Other Purposes (Public Law 108-7).

14 SEC. 1302. None of the funds in this chapter may
15 be used to initiate a new start program without prior noti-
16 fication to the congressional defense committees.

17 SEC. 1303. None of the funds in this chapter may
18 be used to develop or procure any item or capability that
19 will not be fielded within four years of enactment of this
20 Act.

21 SEC. 1304. Title II of the Department of Defense Ap-
22 propriations Act, 2003 (Public Law 107-248), is amended
23 under the heading “Operation and Maintenance, Defense-
24 Wide” by striking “\$25,000,000” and inserting
25 “\$50,000,000”: *Provided*, That the additional funds for

1 the CINC Initiative Fund made available by this section
2 may be expended notwithstanding the limitations in sec-
3 tion 166a(e)(1) of title 10, United States Code.

4 SEC. 1305. Title II of the Department of Defense Ap-
5 propriations Act, 2003 (Public Law 107–248), is amended
6 under the heading “Operation and Maintenance, Defense-
7 Wide” by striking “\$34,500,000” and inserting
8 “\$69,000,000”.

9 (TRANSFER OF FUNDS)

10 SEC. 1306. Section 8005 of the Department of De-
11 fense Appropriations Act, 2003 (Public Law 107–248), is
12 amended—

13 (1) by striking “May 31” in the fourth proviso
14 and inserting “June 30”; and

15 (2) by striking the sixth proviso, as added by
16 section 112 of division M of Public Law 108–7, be-
17 ginning with “: Provided further” and ending with
18 “to which transferred”.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 1307. In addition to amounts made available
21 elsewhere in this Act for the Department of Defense,
22 \$165,000,000 is appropriated to the Department of De-
23 fense to reimburse applicable appropriations for the value
24 of drawdown support provided by the Department of De-
25 fense under the Afghanistan Freedom Support Act of
26 2002: *Provided*, That this appropriation shall not increase

1 the limitation set forth in section 202(b) of that Act: *Pro-*
2 *vided further*, That the Secretary of Defense may transfer
3 the funds provided herein to the applicable appropriations
4 of the Department of Defense: *Provided further*, That the
5 funds transferred shall be merged with and shall be avail-
6 able for the same purposes and for the same time period
7 as the appropriation to which transferred: *Provided fur-*
8 *ther*, That the transfer authority provided in this section
9 is in addition to any other transfer authority available to
10 the Department of Defense: *Provided further*, That not-
11 withstanding any other provision of law, none of the funds
12 provided in this or any other appropriations Act for the
13 Department of Defense may be used for the drawdown
14 authority in section 202 of the Afghanistan Freedom Sup-
15 port Act of 2002 (Public Law 107-327) prior to notifying
16 in writing the House and Senate Committees on Appro-
17 priations of the source of the funds to be used for such
18 purpose.

19 SEC. 1308. Funds appropriated in this Act, or made
20 available by transfer of funds in or pursuant to this Act,
21 for intelligence activities are deemed to be specifically au-
22 thorized by the Congress for purposes of section 504 of
23 the National Security Act of 1947 (50 U.S.C. 414.)

24 SEC. 1309. (a) Of the amounts available to the Sec-
25 retary of Defense, \$63,500,000 may be used to reimburse

1 applicable appropriations for the value of support provided
2 by the Department of Defense under the Iraq Liberation
3 Act of 1998: *Provided*, That this appropriation shall not
4 increase the limitation set forth in section (4)(a)(2)(B) of
5 that Act.

6 (b) Section (4)(a)(2) of the Iraq Liberation Act of
7 1998 is amended by adding the following new subpara-
8 graph at the end:

9 “(C) The aggregate value (as defined in
10 section 644(m) of the Foreign Assistance Act of
11 1961) of assistance provided under this para-
12 graph may not exceed \$150,000,000 in fiscal
13 year 2003.”

14 (c) Notwithstanding any other provision of law, none
15 of the funds provided in this or any other appropriations
16 Act for the Department of Defense may be used for the
17 drawdown authority in section (4)(a)(2) of Iraq Liberation
18 Act of 1998 (including the drawdown authority of this sec-
19 tion) unless the House and Senate Committees on Appro-
20 priations are notified in writing of the sources of the funds
21 to be used for such purpose at least seven days prior to
22 the exercise of the drawdown authority.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 1310. During fiscal year 2003, amounts in or
25 credited to the Defense Cooperation Account under 10
26 U.S.C. 2608(b) shall be available for obligation and ex-

1 penditure consistent with the purposes for which such
2 amounts were contributed and accepted: *Provided*, That
3 such amounts shall only be available for transfer by the
4 Secretary of Defense the “Operation Iraqi Freedom Re-
5 sponse Fund” and be available for the same period as the
6 appropriation to which transferred: *Provided further*, That
7 this transfer authority is in addition to any other transfer
8 authority available to the Department of Defense: *Pro-*
9 *vided further*, That the Secretary of Defense shall report
10 at least seven days in advance to the Congress of all pro-
11 posed transfers to be made pursuant to this authority.

12 SEC. 1311. (a) Hereafter, contributions of money de-
13 posited into the “Natural Resources Risk Remediation
14 Fund” shall be reported to the Congress in the same re-
15 port, and under the same terms and conditions, as the
16 report required for contributions to the “Defense Coopera-
17 tion Account” under section 2608, chapter 155 of title 10,
18 United States Code.

19 (b) During fiscal years 2003 and 2004, the use of
20 monies or real or personal property contributed to the
21 “Defense Cooperation Account” and the “Natural Re-
22 sources Risk Remediation Fund” shall be subject to the
23 prior approval of the Committees on Appropriations.

24 SEC. 1312. The Secretary of Defense shall notify the
25 congressional defense committees, in writing, not later

1 than 15 days prior to the obligation of funds appropriated
2 in this chapter for military construction activities or minor
3 construction in excess of \$7,500,000.

4 (TRANSFER OF FUNDS)

5 SEC. 1313. As of October 31, 2003, all balances of
6 funds remaining in the “Defense Emergency Response
7 Fund” shall be transferred to, and merged with, the “Op-
8 eration Iraqi Freedom Response Fund”, and shall be
9 available for the same purposes, and under the same terms
10 and conditions, as funds appropriated to the “Operation
11 Iraqi Freedom Response Fund” in this chapter.

12 CHAPTER 4

13 BILATERAL ECONOMIC ASSISTANCE

14 FUNDS APPROPRIATED TO THE PRESIDENT

15 UNITED STATES AGENCY FOR INTERNATIONAL

16 DEVELOPMENT

17 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

18 For an additional amount for “Child Survival and
19 Health Programs Fund”, \$40,000,000.

20 INTERNATIONAL DISASTER ASSISTANCE

21 For an additional amount for “International Disaster
22 Assistance”, \$160,000,000: *Provided*, That amounts made
23 available pursuant to section 492(b) of the Foreign Assist-
24 ance Act of 1961 for the purpose of addressing relief and
25 rehabilitation needs in Iraq, prior to enactment of this
26 Act, shall be in addition to the amount that may be obli-

1 gated in any fiscal year under that section: *Provided fur-*
2 *ther*, That during the remainder of fiscal year 2003 the
3 authority referenced in the preceding proviso may not be
4 utilized unless written notice has been provided to the
5 Committees on Appropriations not less than five days
6 prior to the proposed obligation.

7 OPERATING EXPENSES OF THE UNITED STATES AGENCY
8 FOR INTERNATIONAL DEVELOPMENT

9 For an additional amount for "Operating Expenses
10 of the United States Agency for International Develop-
11 ment", \$23,000,000, of which not less than \$2,000,000
12 may be transferred to and merged with "Operating Ex-
13 penses of the United States Agency for International De-
14 velopment Office of Inspector General" for financial and
15 program audits of the Iraq Relief and Reconstruction
16 Fund and other assistance for Iraq.

17 OTHER BILATERAL ECONOMIC ASSISTANCE
18 ECONOMIC SUPPORT FUND

19 For an additional amount for "Economic Support
20 Fund", \$2,342,000,000, of which:

21 (1) not less than \$700,000,000 shall be made
22 available for assistance for Jordan;

23 (2) \$300,000,000, to remain available until
24 September 30, 2005, shall be made available only
25 for grants for Egypt: *Provided*, That during the pe-

1 riod beginning March 1, 2003, and ending Sep-
2 tember 30, 2005, loan guarantees may be made to
3 Egypt, the principal amount, any part of which is to
4 be guaranteed, shall not exceed \$2,000,000,000:
5 *Provided further*, That the Government of Egypt will
6 incur all the costs, as defined in section 502 of the
7 Federal Credit Reform Act of 1990, as amended, as-
8 sociated with these loan guarantees, including any
9 non-repayment exposure risk: *Provided further*, That
10 all fees associated with these loan guarantees, in-
11 cluding subsidy and administrative costs, shall be
12 paid by the Government of Egypt to the Government
13 of the United States: *Provided further*, That funds
14 made available under this paragraph and other
15 funds appropriated to carry out chapter 4 of part II
16 of the Foreign Assistance Act of 1961 and made
17 available for assistance for Egypt may be used by
18 the Government of Egypt to pay such fees to the
19 United States Government: *Provided further*, That
20 the President shall determine the terms and condi-
21 tions for issuing the economic assistance authorized
22 by this paragraph and should take into consideration
23 budgetary and economic reforms undertaken by
24 Egypt: *Provided further*, That if the President deter-
25 mines that these terms and conditions have been

1 breached, the President may suspend or terminate
2 the provision of all or part of such economic assist-
3 ance not yet outlayed under this paragraph;

4 (3) not to exceed \$1,000,000,000, to remain
5 available until September 30, 2005, for grants for
6 Turkey: *Provided*, That during the period beginning
7 March 1, 2003 and ending September 30, 2005, di-
8 rect loans or loan guarantees may be made to Tur-
9 key, the principal amount of direct loans or loans,
10 any part of which is to be guaranteed, shall not ex-
11 ceed \$8,500,000,000: *Provided further*, That the
12 Government of Turkey will incur all the costs, as de-
13 fined in section 502 of the Federal Credit Reform
14 Act of 1990, as amended, associated with these
15 loans or loan guarantees, including any non-repay-
16 ment exposure risk: *Provided further*, That all fees
17 associated with these loans or loan guarantees, in-
18 cluding subsidy and administrative costs, shall be
19 paid by the Government of Turkey to the Govern-
20 ment of the United States: *Provided further*, That
21 funds made available under this paragraph and
22 other funds appropriated to carry out chapter 4 of
23 part II of the Foreign Assistance Act of 1961 and
24 made available for assistance for Turkey may be
25 used by the Government of Turkey to pay such fees

1 to the United States Government: *Provided further,*
2 That none of the funds made available by this para-
3 graph may be made available for assistance for Tur-
4 key until the Secretary of State determines and re-
5 ports to the Committees on Appropriations of the
6 House and Senate, the Committee on Foreign Rela-
7 tions of the Senate and Committee on International
8 Relations of the House that the Government of Tur-
9 key is cooperating with the United States in Oper-
10 ation Iraqi Freedom, including the facilitation of hu-
11 manitarian assistance to Iraq: *Provided further,* That
12 the President shall determine the terms and condi-
13 tions for issuing the economic assistance authorized
14 by this paragraph and should take into consideration
15 budgetary and economic reforms undertaken by Tur-
16 key: *Provided further,* That if the President deter-
17 mines that these terms and conditions have been
18 breached, the President may suspend or terminate
19 the provision of all or part of such economic assist-
20 ance not yet outlayed under this paragraph;
21 (4) not to exceed \$5,000,000 may be available
22 for administrative expenses of the Islamic Partner-
23 ship and Outreach program; and
24 (5) funds made available under this heading for
25 the Islamic Partnership and Outreach program and

1 other regional programs are subject to the regular
2 notification procedures of the Committees on Appro-
3 priations.

4 IRAQ RELIEF AND RECONSTRUCTION FUND

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses to carry out the purposes of
7 the Foreign Assistance Act of 1961 for humanitarian as-
8 sistance in and around Iraq and for rehabilitation and re-
9 construction in Iraq, \$2,483,300,000, to remain available
10 until September 30, 2004, including for the costs of: (1)
11 water/sanitation infrastructure; (2) feeding and food dis-
12 tribution; (3) supporting relief efforts related to refugees,
13 internally displaced persons, and vulnerable individuals;
14 (4) humanitarian demining; (5) healthcare; (6) education;
15 (7) electricity; (8) transportation; (9) telecommunications;
16 (10) rule of law and governance; (11) economic and finan-
17 cial policy; and (12) agriculture: *Provided*, That these
18 funds shall be apportioned only to the Department of
19 State, the United States Agency for International Devel-
20 opment, the Department of the Treasury, and the Depart-
21 ment of Health and Human Services, as appropriate, for
22 expenses to meet such costs: *Provided further*, That with
23 respect to funds appropriated under this heading in this
24 Act or proposed for appropriation in subsequent Acts, the
25 responsibility for policy decisions and justifications for the

1 use of such funds shall be the responsibility of the Sec-
2 retary of State and the Deputy Secretary of State and
3 this responsibility shall not be delegated: *Provided further,*
4 That funds appropriated under this heading shall be used
5 to fully reimburse accounts administered by the Depart-
6 ment of State and the United States Agency for Inter-
7 national Development, not otherwise reimbursed from
8 funds appropriated by this chapter, for obligations in-
9 curred for the purposes provided under this heading prior
10 to enactment of this Act from funds appropriated for for-
11 eign operations, export financing, and related programs:
12 *Provided further,* That the United States may accept from
13 any person, foreign government, or international organiza-
14 tion, and credit to this Fund, any contribution of money
15 for such purposes: *Provided further,* That funds appro-
16 priated under this heading shall be available notwith-
17 standing any other provision of law, including section 10
18 of Public Law 91-672 and section 15 of the State Depart-
19 ment Basic Authorities Act of 1956: *Provided further,*
20 That funds appropriated under this heading that are made
21 available for assistance for Iraq shall be subject to the reg-
22 ular notification procedures of the Committees on Appro-
23 priations, except that notifications shall be transmitted at
24 least 5 days in advance of the obligations of funds.

1 LOAN GUARANTEES TO ISRAEL

2 During the period beginning April 14, 2003, and end-
3 ing September 30, 2005, loan guarantees may be made
4 available to Israel, guaranteeing 100 percent of the prin-
5 cipal and interest on such loans, the principal amount, any
6 part of which is to be guaranteed, not to exceed
7 \$9,000,000,000, of which up to \$3,000,000,000 may be
8 issued prior to October 1, 2003, or thereafter and of which
9 \$3,000,000,000 may be issued subsequent to September
10 30, 2004: *Provided*, That such guarantees shall constitute
11 obligations, in accordance with the terms of such guaran-
12 tees, of the United States of America and the full faith
13 and credit of the United States of America is hereby
14 pledged for the full payment and performance of such obli-
15 gations: *Provided further*, That if less than the full amount
16 of guarantees authorized to be made available is issued
17 prior to September 30, 2005, the authority to issue the
18 balance of such guarantees shall extend to the subsequent
19 fiscal year: *Provided further*, That guarantees may be
20 issued under this section only to support activities in the
21 geographic areas which were subject to the administration
22 of the Government of Israel before June 5, 1967: *Provided*
23 *further*, That the amount of guarantees that may be issued
24 shall be reduced by an amount equal to the amount ex-
25 tended or estimated to have been extended by the Govern-

1 ment of Israel during the period from March 1, 2003, to
2 the date of issue of the guarantee, for activities which the
3 President determines are inconsistent with the objectives
4 and understandings reached between the United States
5 and the Government of Israel regarding the implementa-
6 tion of the loan guarantee program: *Provided further*, That
7 the President shall submit a report to Congress no later
8 than September 30 of each fiscal year during the pendency
9 of the program specifying the amount calculated under the
10 preceding proviso and that will be deducted from the
11 amount of guarantees authorized to be issued in the next
12 fiscal year: *Provided further*, That no appropriations under
13 this heading are available for the subsidy costs for these
14 loan guarantees: *Provided further*, That the Government
15 of Israel will pay the cost, as defined in section 502 of
16 the Federal Credit Reform Act of 1990, as amended, in-
17 cluding any non-payment exposure risk, associated with
18 the loan guarantees issued in any fiscal year, on a pro
19 rata basis as each guarantee is issued during that year:
20 *Provided further*, That all fees (as defined in Section
21 601(e) of Public Law 102-391) associated with the loan
22 guarantees shall be paid by the Government of Israel to
23 the Government of the United States: *Provided further*,
24 That funds made available for assistance to Israel under
25 chapter 4 of part II of the Foreign Assistance Act of 1961,

1 as amended, may be utilized by the Government of Israel
2 to pay such fees to the United States Government: *Pro-*
3 *vided further*, That the President shall determine the
4 terms and conditions for issuing guarantees, taking into
5 consideration the budgetary and economic reforms under-
6 taken by Israel: *Provided further*, That if the President
7 determines that these terms and conditions have been
8 breached, the President may suspend or terminate the
9 provision of all or part of the loan guarantees not yet
10 issued under this heading.

11 DEPARTMENT OF STATE

12 INTERNATIONAL NARCOTICS CONTROL AND LAW

13 ENFORCEMENT

14 For an additional amount for “International Nar-
15 cotics Control and Law Enforcement”, \$25,000,000, to re-
16 main available until September 30, 2004.

17 ANDEAN COUNTERDRUG INITIATIVE

18 For an additional amount for the “Andean
19 Counterdrug Initiative”, \$34,000,000, to remain available
20 until September 30, 2004.

21 UNITED STATES EMERGENCY REFUGEE AND MIGRATION

22 ASSISTANCE FUND

23 For an additional amount for “United States Emer-
24 gency Refugee and Migration Assistance Fund”,
25 \$80,000,000, to remain until expended, notwithstanding

1 section 2(c)(2) of the Migration and Refugee Assistance
2 Act of 1962, as amended (22 U.S.C. 2601(c)(2)).

3 NONPROLIFERATION, ANTI-TERRORISM, DEMINING, AND
4 RELATED PROGRAMS

5 For an additional amount for “Nonproliferation,
6 Anti-Terrorism, Demining and Related Programs”,
7 \$28,000,000: *Provided*, That funds appropriated by this
8 paragraph shall be available notwithstanding section 10
9 of Public Law 91–672 and section 15 of the State Depart-
10 ment Basic Authorities Act of 1956.

11 MILITARY ASSISTANCE

12 FUNDS APPROPRIATED TO THE PRESIDENT

13 FOREIGN MILITARY FINANCING PROGRAM

14 For an additional amount for the “Foreign Military
15 Financing Program”, \$2,059,100,000: *Provided*, That
16 funds appropriated by this paragraph shall be available
17 notwithstanding section 10 of Public Law 91–672 and sec-
18 tion 15 of the State Department Basic Authorities Act
19 of 1956: *Provided further*, That of the funds appropriated
20 under this heading, not less than \$406,000,000 shall be
21 made available for grants only for Jordan and
22 \$1,000,000,000 shall be available for grants only for
23 Israel: *Provided further*, That the funds appropriated by
24 this paragraph for Israel shall be disbursed within 30 days
25 of the enactment of this Act: *Provided further*, That to

1 the extent that the Government of Israel requests that
2 funds be used for such purposes, grants made available
3 for Israel by this paragraph shall, as agreed to by the
4 United States and Israel, be available for advanced weap-
5 ons systems, of which not less than \$263,000,000 shall
6 be available for the procurement in Israel of defense arti-
7 cles and defense services, including research and develop-
8 ment.

9 PEACEKEEPING OPERATIONS

10 For an additional amount for "Peacekeeping Oper-
11 ations", \$115,000,000.

12 GENERAL PROVISIONS—THIS TITLE

13 SEC. 1401. Assistance or other financing under this
14 chapter may be provided for Iraq notwithstanding any
15 other provision of law: *Provided*, That funds made avail-
16 able for Iraq pursuant to this authority shall be subject
17 to the regular reprogramming procedures of the Commit-
18 tees on Appropriations and section 634A of the Foreign
19 Assistance Act of 1961, except that notification shall be
20 transmitted at least 5 days in advance of obligation: *Pro-*
21 *vided further*, That the notification requirements of this
22 section may be waived if failure to do so would pose a
23 substantial risk to human health or welfare: *Provided fur-*
24 *ther*, That in case of any such waiver, notification to the
25 appropriate congressional committees, shall be provided as

1 early as practicable, but in no event later than 3 days after
2 taking the action to which such notification requirement
3 was applicable, in the context of the circumstances neces-
4 sitating such waiver: *Provided further*, That any notifica-
5 tion provided pursuant to such a waiver shall contain an
6 explanation of the emergency circumstances.

7 SEC. 1402. The President may suspend the applica-
8 tion of any provision of the Iraq Sanctions Act of 1990:
9 *Provided*, That nothing in this section shall affect the ap-
10 plicability of the Iran-Iraq Arms Non-Proliferation Act of
11 1992 (Public Law 102-484) except as it applies to hu-
12 manitarian assistance and supplies: *Provided further*, That
13 the President may make inapplicable with respect to Iraq
14 section 620A of the Foreign Assistance Act of 1961 or
15 any other provision of law that applies to countries that
16 have supported terrorism: *Provided further*, That military
17 equipment shall not be exported under the authority of
18 this section: *Provided further*, That section 307 of the For-
19 eign Assistance Act of 1961 shall not apply with respect
20 to programs of international organizations for Iraq: *Pro-*
21 *vided further*, That provisions of law that direct the United
22 States Government to vote against or oppose loans or
23 other uses of funds, including for financial or technical
24 assistance, in international financial institutions for Iraq
25 shall not be construed as applying to Iraq: *Provided fur-*

1 *ther*, That the President shall submit a notification 5 days
2 prior to exercising any of the authorities described in this
3 section to the Committee on Appropriations of each House
4 of the Congress, the Committee on Foreign Relations of
5 the Senate, and the Committee on International Relations
6 of the House of Representatives: *Provided further*, That
7 not more than 60 days after enactment of this Act and
8 every 90 days thereafter the President shall submit a re-
9 port to the Committee on Appropriations of each House
10 of the Congress, the Committee on Foreign Relations of
11 the Senate, and the Committee on International Relations
12 of the House of Representatives containing a summary of
13 all licenses approved for export to Iraq of any item on
14 the Commerce Control List contained in the Export Ad-
15 ministration Regulations, 15 CFR Part 774, Supplement
16 1, including identification of end users of such items: *Pro-*
17 *vided further*, That the authorities contained in this sec-
18 tion shall expire on September 30, 2004, or on the date
19 of enactment of a subsequent Act authorizing assistance
20 for Iraq and that specifically amends, repeals or otherwise
21 makes inapplicable the authorities of this section, which-
22 ever occurs first.

23 SEC. 1403. Notwithstanding any other provision of
24 law, the President may authorize the export to Iraq of any
25 nonlethal military equipment controlled under the Inter-

1 national Trafficking in Arms Regulations on the United
2 States Munitions List established pursuant to section 38
3 of the Arms Export Control Act, (22 U.S.C. 2778), if the
4 President determines and notifies within 5 days after ex-
5 port the Committee on Appropriations of each House of
6 the Congress, the Committee on Foreign Relations of the
7 Senate, and the Committee on International Relations of
8 the House of Representatives that the export of such non-
9 lethal military equipment is in the national interest of the
10 United States: *Provided*, That the authorities contained
11 in this section shall expire on September 30, 2004, or on
12 the date of enactment of a subsequent Act authorizing as-
13 sistance for Iraq and that specifically amends, repeals or
14 otherwise makes inapplicable the authorities of this sec-
15 tion, whichever occurs first.

16 CHAPTER 5

17 DEPARTMENT OF HOMELAND SECURITY

18 CITIZENSHIP AND IMMIGRATION SERVICES

19 OPERATING EXPENSES

20 For necessary expenses for "Operating Expenses" re-
21 lated to conducting Operation Liberty Shield, \$1,000,000,
22 to remain available until December 31, 2003.

1 UNITED STATES SECRET SERVICE

2 OPERATING EXPENSES

3 For an additional amount for “Operating Expenses”
4 for necessary expenses related to conducting Operation
5 Liberty Shield, \$30,000,000, to remain available until De-
6 cember 31, 2003.

7 BORDER AND TRANSPORTATION SECURITY

8 CUSTOMS AND BORDER PROTECTION

9 For necessary expenses for “Customs and Border
10 Protection” related to conducting Operation Liberty
11 Shield and other purposes, \$428,000,000, of which
12 \$235,000,000 shall remain available until December 31,
13 2003, and of which \$193,000,000 shall remain available
14 until expended for the acquisition and deployment of por-
15 tal radiation detectors and non-intrusive inspection tech-
16 nology at U.S. ports of entry.

17 IMMIGRATION AND CUSTOMS ENFORCEMENT

18 For necessary expenses for “Immigration and Cus-
19 toms Enforcement” related to conducting Operation Lib-
20 erty Shield, \$185,000,000, to remain available until De-
21 cember 31, 2003.

22 TRANSPORTATION SECURITY ADMINISTRATION

23 For necessary expenses for “Transportation Security
24 Administration” related to conducting Operation Liberty
25 Shield and other purposes, \$390,000,000, to remain avail-

1 able until expended: *Provided*, That of the total amount
2 provided herein, the following amounts are available for
3 obligation only for the specific purposes below:

4 (1) physical modification of commercial service
5 airports for the purposes of installing checked bag-
6 gage explosive detection systems into airport bag-
7 gage systems, \$235,000,000;

8 (2) reimbursements to local and state law en-
9 forcement officers and National Guardsmen for in-
10 creased security measures at airports and other crit-
11 ical transportation sites, \$85,000,000;

12 (3) port security grants, \$40,000,000; and

13 (4) surface transportation security initiatives,
14 \$30,000,000.

15 In addition, for expenses related to aviation security,
16 \$3,178,300,00, to remain available until September 30,
17 2003: *Provided*, That such appropriation shall be remitted
18 to U.S. flag air carriers for expenses incurred related to
19 aviation security based on the pro-rata share each such
20 carrier has paid or collected to date in passenger security
21 and air carrier security fees to the Transportation Secu-
22 rity Administration: *Provided further*, That such appropria-
23 tion shall be remitted to U.S. flag air carriers for expenses
24 related to aviation security based on the pro-rata share
25 each such carrier is expected to pay or collect to the

1 Transportation Security Administration for the remainder
2 of the fiscal year: *Provided further*, That payments made
3 under this heading may be used by an air carrier for such
4 purposes as each carrier determines appropriate: *Provided*
5 *further*, That payments made under this heading shall be
6 made within thirty days of enactment of this Act: *Provided*
7 *further*, That no airline receiving funding under this head-
8 ing may provide compensation (pay, benefits and stock op-
9 tions) to senior executives that exceeds the base pay and
10 benefits that such executives received in 2002.

11 FEDERAL LAW ENFORCEMENT TRAINING CENTER

12 OPERATING EXPENSES

13 For necessary expenses for “Federal Law Enforce-
14 ment Training Center Operating Expenses” related to
15 conducting Operation Liberty Shield, \$2,000,000, to re-
16 main available until December 31, 2003.

17 OFFICE FOR DOMESTIC PREPAREDNESS

18 For an additional amount for “Office for Domestic
19 Preparedness”, \$2,200,000,000, to remain available until
20 December 31, 2003, for grants authorized by section 1014
21 of the USA PATRIOT Act of 2001 (Public Law 107–56)
22 and for other counterterrorism programs, of which
23 \$1,500,000,000 shall be for formula-based grants, and of
24 which \$700,000,000 shall be for discretionary grants for
25 use in high-density urban areas, in high-threat areas, and

1 for protection of critical infrastructure: *Provided*, That 80
2 percent of the funds provided under this heading to any
3 State shall be allocated by the State to units of local gov-
4 ernment within the State and shall be distributed by the
5 State within 45 days of the receipt of funds: *Provided fur-*
6 *ther*, That none of the funds provided under this heading
7 may be used for construction or renovation of facilities:
8 *Provided further*, That subsection (c)(3) of such section
9 1014 shall not apply to discretionary grants made under
10 this heading: *Provided further*, That the Secretary of
11 Homeland Security shall notify the Committees on Appro-
12 priations at least 15 days prior to the obligation of any
13 amount of the funds provided under this heading.

14 UNITED STATES COAST GUARD

15 OPERATING EXPENSES

16 For an additional amount for “Operating Expenses”
17 for expenses related to conducting Operation Liberty
18 Shield and other purposes, \$230,000,000, to remain avail-
19 able until December 31, 2003.

20 EMERGENCY PREPAREDNESS AND RESPONSE

21 OPERATING EXPENSES

22 For necessary expenses for “Operating Expenses” re-
23 lated to conducting Operation Liberty Shield,
24 \$45,000,000, to remain available until December 31,
25 2003.

1 INFORMATION ANALYSIS AND
2 INFRASTRUCTURE PROTECTION
3 OPERATING EXPENSES

4 For necessary expenses for "Operating Expenses" re-
5 lated to conducting Operation Liberty Shield,
6 \$10,000,000, to remain available until December 31,
7 2003: *Provided*, That the Secretary of Homeland Security
8 shall notify the Committees on Appropriations at least 15
9 days prior to the obligation of any amount of the funds
10 provided under this heading.

11 GENERAL PROVISIONS

12 DEPARTMENT OF HOMELAND SECURITY

13 REPROGRAMMING AND TRANSFER GUIDELINES

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 1501. (a) None of the funds provided in this
16 Act, or provided in previous Appropriations Acts to the
17 agencies of the Department of Homeland Security that re-
18 main available for obligation or expenditure in fiscal year
19 2003, shall be available for obligation or expenditure
20 through a reprogramming of funds which: (1) creates a
21 new program; (2) eliminates a program, project, or activ-
22 ity; (3) increases funds for any program, project, or activ-
23 ity for which funds have been denied or restricted by Con-
24 gress; (4) deviates significantly from a program, project,
25 or activity described in the Department's budget justifica-

1 tion as presented to or approved by Congress, including
2 those justifications submitted to Congress prior to the en-
3 actment of Public Law 107-296; or (5) proposes to use
4 funds directed for a specific activity by either the House
5 or Senate Committees on Appropriations for a different
6 purpose, unless the Committees on Appropriations of both
7 Houses of Congress are notified 15 days in advance of
8 such reprogramming of funds.

9 (b) None of the funds provided in this Act, or pro-
10 vided in previous Appropriations Acts to the agencies of
11 the Department of Homeland Security that remain avail-
12 able for obligation or expenditure in fiscal year 2003, shall
13 be available for obligation or expenditure for programs,
14 projects, or activities through a reprogramming of funds
15 in excess of \$5,000,000 or 10 percent, whichever is less,
16 unless the Committees on Appropriations of both Houses
17 of Congress are notified 15 days in advance of such re-
18 programming of funds.

19 (c) Not to exceed 5 percent of any appropriation
20 made available for the current fiscal year for the agencies
21 of the Department of Homeland Security in this Act or
22 provided in previous Appropriations Acts may be trans-
23 ferred between such appropriations, but no such appro-
24 priation, except as otherwise specifically provided, shall be
25 increased by more than 10 percent by any such transfers:

1 *Provided*, That any transfer pursuant to this section shall
2 be treated as a reprogramming of funds and shall not be
3 available for obligation unless the Committees on Appro-
4 priations of both Houses of Congress are notified 15 days
5 in advance of such transfer.

6 CHAPTER 6
7 DEPARTMENT OF HEALTH AND HUMAN
8 SERVICES
9 CENTERS FOR DISEASE CONTROL AND
10 PREVENTION

11 DISEASE CONTROL, RESEARCH, AND TRAINING
12 For an additional amount for “Centers for Disease
13 Control and Prevention, Disease Control, Research, and
14 Training”, \$16,000,000.

15 OFFICE OF THE SECRETARY
16 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
17 FUND

18 For an additional amount for “Public Health and So-
19 cial Services Emergency Fund”, for the Centers for Dis-
20 ease Control and Prevention, \$94,000,000.

21 For an additional amount for “Public Health and So-
22 cial Services Emergency Fund”, for costs associated with
23 compensating individuals with injuries resulting from ad-
24 ministration of a smallpox vaccine, \$50,000,000 to remain
25 available until expended: *Provided*, That such amount

1 shall become available only upon the enactment of legisla-
2 tion authorizing a smallpox vaccination compensation pro-
3 gram.

4 GENERAL PROVISIONS—THIS CHAPTER

5 SEC. 1601. Section 1113 (d) of the Social Security
6 Act (42 U.S.C. 1313 (d)) is amended by striking “1991”
7 and inserting “2003”.

8 CHAPTER 7

9 LEGISLATIVE BRANCH

10 HOUSE OF REPRESENTATIVES

11 SALARIES AND EXPENSES

12 For an additional amount for salaries and expenses
13 of the House of Representatives, \$11,000,000, as follows:

14 COMMITTEE EMPLOYEES

15 STANDING COMMITTEES, SPECIAL AND SELECT

16 For an additional amount for salaries and expenses
17 of standing committees, special and select, authorized by
18 House resolutions, \$11,000,000: *Provided*, That such
19 amount shall remain available for such salaries and ex-
20 penses until December 31, 2004.

21 CAPITOL POLICE

22 GENERAL EXPENSES

23 For an additional amount for necessary expenses of
24 the Capitol Police, related emergency expenses for the se-
25 curity of the United States Capitol complex, \$37,758,000,

1 to remain available until expended, to be disbursed by the
2 Chief of the Capitol Police or his designee: *Provided*, That
3 no part of such amount may be obligated without prior
4 approval of the Committee on Appropriations of the House
5 of Representatives and Senate.

6 OFFICE OF COMPLIANCE

7 SALARIES AND EXPENSES

8 For an additional amount for salaries and expenses
9 of the Office of Compliance, as authorized by section 305
10 of the Congressional Accountability Act of 1995 (2 U.S.C.
11 1385), \$111,000.

12 ARCHITECT OF THE CAPITOL

13 CAPITOL POLICE BUILDINGS AND GROUNDS

14 For an additional amount for necessary expenses for
15 the maintenance, care, and operation of buildings and
16 grounds of the United States Capitol Police, \$63,868,000,
17 to remain available until expended.

18 LIBRARY OF CONGRESS

19 SALARIES AND EXPENSES

20 For an additional amount for necessary expenses for
21 the purchase and installation of a public address system,
22 \$5,500,000, to remain available until September 30, 2007.

1 CONGRESSIONAL RESEARCH SERVICE

2 For an additional amount for necessary expenses for
3 the implementation of an alternate computer facility,
4 \$1,863,000, to remain available until September 30, 2004.

5 GENERAL ACCOUNTING OFFICE

6 SALARIES AND EXPENSES

7 For an additional amount for necessary expenses of
8 security requirements for the General Accounting Office,
9 \$4,900,000, to remain available until September 30, 2004.

10 CHAPTER 8

11 DEPARTMENT OF DEFENSE

12 MILITARY CONSTRUCTION

13 MILITARY CONSTRUCTION, NAVY

14 For an additional amount for “Military Construction,
15 Navy”, \$48,100,000, to remain available until September
16 30, 2007: *Provided*, That notwithstanding any other provi-
17 sion of law, such funds may be obligated or expended to
18 carry out military construction projects not otherwise au-
19 thorized by law.

20 MILITARY CONSTRUCTION, AIR FORCE

21 For an additional amount for “Military Construction,
22 Air Force”, \$5,100,000, to remain available until Sep-
23 tember 30, 2007: *Provided*, That notwithstanding any
24 other provision of law, such funds may be obligated or ex-

1 pended to carry out planning and design and military con-
2 struction projects not otherwise authorized by law.

3 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
4 FORCE

5 For an additional amount for “Family Housing Oper-
6 ation and Maintenance, Air Force”, \$1,800,000.

7 GENERAL PROVISIONS—THIS CHAPTER

8 SEC. 1801. None of the funds in the Defense Emer-
9 gency Response Fund for any fiscal year may be used to
10 carry out new military construction projects at a military
11 installation inside or outside the United States or to reim-
12 burse other appropriations or funds of the Department of
13 Defense used to carry out such construction. For purposes
14 of this section, the terms “military construction” and
15 “military installation” have the meanings given such
16 terms in section 2801 of title 10, United States Code, ex-
17 cept that, with respect to military construction in a foreign
18 country, the term “military installation” includes, not only
19 buildings, structures, and other improvements to real
20 property under the operational control of the Secretary of
21 a military department or the Secretary of Defense, but
22 also any building, structure, or other improvement to real
23 property to be used by the Armed Forces, regardless of
24 whether such use is anticipated to be temporary or of
25 longer duration.

1 SEC. 1802. (a) CONGRESSIONAL NOTIFICATION OF
2 CONSTRUCTION USING OPERATION AND MAINTENANCE
3 FUNDS.—Amounts appropriated or otherwise made avail-
4 able for any fiscal year for the operation and maintenance
5 of the Armed Forces (including reserve components) or
6 for activities and agencies of the Department of Defense
7 may not be used to carry out military construction at a
8 military installation inside or outside the United States
9 unless the Secretary of a military department or the Sec-
10 retary of Defense, as the case may be—

11 (1) in the case of military construction covered
12 by chapter 169 of title 10, United States Code, com-
13 plies with the requirements contained in such chap-
14 ter applicable to the use of operation and mainte-
15 nance funds for military construction; or

16 (2) in the case of military construction not oth-
17 erwise covered by such chapter, submits written no-
18 tice to the appropriate committees of Congress, not
19 later than 15 days before obligating funds for the
20 construction, containing an explanation of the need
21 to use operation and maintenance funds to carry out
22 the construction and the estimated cost of the con-
23 struction.

24 (b) DEFINITIONS.—For purposes of this section, the
25 terms “appropriate committees of Congress”, “military

1 construction”, and “military installation” have the mean-
2 ings given such terms in section 2801 of title 10, United
3 States Code, except that, with respect to military construc-
4 tion in a foreign country, the term “military installation”
5 includes, not only buildings, structures, and other im-
6 provements to real property under the operational control
7 of the Secretary of a military department or the Secretary
8 of Defense, but also any building, structure, or other im-
9 provement to real property to be used by the Armed
10 Forces, regardless of whether such use is anticipated to
11 be temporary or of longer duration.

12 TITLE II—TECHNICAL CORRECTIONS

13 SEC. 2001. Division F of Public Law 108–7 is hereby
14 amended under the heading “United States Fish and
15 Wildlife Service, State and Tribal Wildlife Grants” by
16 striking “\$3,000,000” and inserting “\$5,000,000”.

17 SEC. 2002. The matter under the heading “Depart-
18 ment of Health and Human Services, Health Resources
19 and Services Administration, Health Resources and Serv-
20 ices”, in Public Law 108–7 is amended—

21 (1) by striking “Heart Beat, New Bloomfield,
22 PA” and inserting “Heart Beat, Millerstown, PA”
23 in lieu thereof;

24 (2) by striking “Tressler Lutheran Services,
25 Harrisburg, PA, for abstinence education and re-

1 lated services” and inserting “DIAKON Lutheran
2 Social Ministries, Allentown, PA, for abstinence edu-
3 cation and related services in Cumberland and Dau-
4 phin counties” in lieu thereof;

5 (3) by striking “Community Ministries of the
6 Lutheran Home at Topton, Reading, PA, for absti-
7 nence education and related services” and inserting
8 “DIAKON Lutheran Social Ministries of Allentown,
9 PA, for abstinence education and related services in
10 Berks county” in lieu thereof;

11 (4) by striking “\$298,153,000” and inserting
12 \$296,638,000” in the first proviso; and

13 (5) by inserting after “a study regarding deliv-
14 ery of pediatric health care in northeastern Okla-
15 homa,” “\$225,000 is available for the Mental
16 Health Association of Tarrant County, Ft. Worth,
17 TX, to provide school-based mental health education
18 to schools in Tarrant County, \$200,000 is available
19 for the AIDS Research Institute at the University of
20 California, San Francisco for a Developing Country
21 Medical Program to facilitate clinician exchange be-
22 tween the United States and developing countries,
23 \$1,000,000 is available for the Geisinger Health
24 System, Harrisburg, PA, to establish centers of ex-
25 cellence for the treatment of autism.”.

1 SEC. 2003. The matter under the heading “Office of
2 the Secretary, Public Health and Social Services Emer-
3 gency Fund”, in title II of the Departments of Labor,
4 Health and Human Services, and Education, and Related
5 Agencies Appropriations Act, 2003, (Public Law 108–7,
6 div. G) is amended by striking “, to be available until ex-
7 pended” after the “\$5,000,000”.

8 SEC. 2004. Section 207 of the Departments of Labor,
9 Health and Human Services, and Education, and Related
10 Agencies Appropriations Act, 2003 (Public Law 108–7,
11 div. G) is amended by striking “or any other”.

12 SEC. 2005. (a) In addition to the authority provided
13 in section 215 of the Departments of Labor, Health and
14 Human Services, and Education, and Related Agencies
15 Appropriations Act, 2003 (Public Law 108–7, div. G), in
16 order for the Centers for Disease Control and Prevention
17 to carry out international health activities, including HIV/
18 AIDS and other infectious disease, chronic and environ-
19 mental disease, and other health activities abroad during
20 fiscal year 2003, the Secretary of Health and Human
21 Services may exercise authority equivalent to that avail-
22 able to the Secretary of State in section 2(c) of the State
23 Department Basic Authorities Act of 1956 (22 U.S.C.
24 2669(c)). (b) The Secretary of Health and Human Serv-
25 ices shall consult with the Secretary of State and relevant

1 Chief of Mission to ensure that the authority provided in
2 this section is exercised in a manner consistent with sec-
3 tion 207 of the Foreign Service Act of 1980 (22 U.S.C.
4 3927) and other applicable statutes administered by the
5 Department of State.

6 SEC. 2006. (a) The matter under the heading “De-
7 partment of Education, School Improvement Programs”,
8 in Public Law 108–7 is amended—

9 (1) by striking “\$508,100,000” and inserting
10 \$537,100,000”; and

11 (2) by striking “\$4,132,167,000” and inserting
12 “\$4,233,167,000”.

13 (b) In the statement of the managers of the com-
14 mittee of conference accompanying H.J. Res. 2 (Public
15 Law 108–7; House Report 108–10), in the matter in title
16 III of Division G, relating to the Fund for the Improve-
17 ment of Education under the heading “School Improve-
18 ment Programs”—

19 (1) the provision specifying \$150,000 for Illi-
20 nois State Board of Education, Springfield, IL, for
21 computers, hardware and software for the implemen-
22 tation of Fast ForWord reading program to the
23 Pleasant Plains Community Unit District #8 and
24 Pleasant Plain Illinois District #18 shall be deemed
25 to read as follows: “Illinois State Board of Edu-

1 cation, Springfield, IL, for implementation of Fast
2 ForWord reading program to the Pleasant Plains
3 Community Unit District #8 and for improving
4 mathematics achievement in Peoria School District
5 #150 and Jacksonville School District #117,
6 \$150,000”;

7 (2) the provision specifying \$2,000,000 for
8 Pinellas County Florida School District, St. Peters-
9 burg, FL, for technology for Title I schools shall be
10 deemed to read as follows: “St. Petersburg College,
11 St. Petersburg, FL, for the Pinellas County Epi-
12 Center, \$2,000,000”;

13 (3) the provision specifying \$500,000 for the
14 St. Louis Children’s Museum, MO, for a collabo-
15 rative project with the St. Louis Public Library to
16 create interactive exhibits and educational programs
17 shall be deleted;

18 (4) the provision specifying \$25,000 for the
19 Boys and Girls Club of El Dorado, AR, for drug
20 prevention and after school programs shall be
21 deemed to read as follows: “Boys and Girls Club,
22 Southeast Unit, El Dorado, AR, for drug prevention
23 and after school programs, \$25,000”;

24 (5) the provision specifying \$400,000 for the
25 Milwaukee Public Schools, WI, to expand before-

1 and after-school programs shall be deemed to read:

2 “Milwaukee Public Schools, WI, for before- and
3 after-school programs, \$400,000”;

4 (6) the provision specifying \$200,000 for

5 Tensas Reunion, Inc., Newellton, LA, for instruc-

6 tional technology training, and after school programs

7 at the Tensas Charter School shall be deemed to

8 read: “Tensas Reunion, Inc., Newellton, LA, for the

9 TREES Project in Tensas Parish, including activi-

10 ties such as the purchase of computers and edu-

11 cational software, tutoring, and workshops to pro-

12 mote parental involvement, \$200,000”;

13 (7) the provision specifying \$250,000 for Com-

14 munity School District 8, Flushing, NY, for after-

15 school programs shall be deemed to read: “Commu-

16 nity School District 8, Bronx, NY, for after-school

17 programs, \$250,000”;

18 (8) the provision specifying \$20,000 for

19 Westside High School, Bakersfield, CA, for equip-

20 ment shall be deemed to read: “West High School,

21 Bakersfield, CA, for equipment, \$20,000”;

22 (9) the provision specifying \$1,000,000 for the

23 National Science Center Foundation, Atlanta, GA,

24 for educational technology and other purposes shall

25 be deemed to read: “National Science Center Foun-

1 dation, Augusta, GA, for educational technology and
2 other purposes, \$1,000,000”;

3 (10) the provision specifying \$200,000 for the
4 Golden Gate National Parks Association, San Fran-
5 cisco, CA, for environmental education programs at
6 the Crissy Field Center shall be deemed to read:
7 “Golden Gate National Parks Conservancy, San
8 Francisco, CA, for environmental education pro-
9 grams at the Crissy Field Center, \$200,000”;

10 (11) the provision specifying \$100,000 for the
11 University of South Florida, Tampa, FL, for the
12 Tampa Bay Consortium for the Development of
13 Educational Leaders and the Preparation and Re-
14 cruitment of Teachers shall be deemed to read:
15 “University of South Florida, Tampa, FL, for the
16 Tampa Bay Consortium for the Development of
17 Educational Leaders, \$100,000”;

18 (12) the provision specifying \$25,000 for the
19 Meredith-Dunn Learning Disabilities Center, Inc.,
20 Louisville, KY, for technology shall be deemed to
21 read as follows: “Meredith-Dunn Learning Disabil-
22 ities Center, Inc., Louisville, KY, for school coun-
23 seling services, \$25,000”;

24 (13) the provision specifying \$40,000 for Fa-
25 ther Maloney’s Boys Haven, Louisville, KY, for tech-

1 nology shall be deemed to read as follows: “Father
2 Maloney’s Boys Haven, Louisville, KY, for an edu-
3 cational program, \$40,000”;

4 (14) the provision specifying \$50,000 for the
5 Joel II Restoration Ministries for education pro-
6 grams shall be deemed to read as follows: “Joel II
7 Restoration Outreach, Inc., for education programs,
8 \$50,000”; and,

9 (15) the provision specifying \$1,500,000 for the
10 City of Upland, CA, for after school programs shall
11 be deemed to read as follows: “YMCA of the City of
12 Upland, CA, for after-school activities, \$1,500,000”.

13 SEC. 2007. In the statement of the managers of the
14 committee of conference accompanying H.J. Res. 2 (Pub-
15 lic Law 108–7; House Report 108–10), in the matter in
16 title III of Division G, relating to the Fund for the Im-
17 provement of Postsecondary Education under the heading
18 “Higher Education”—

19 (1) the second reference to the provision speci-
20 fying \$1,000,000 for the University of Massachu-
21 setts-Boston to purchase research equipment and
22 technology infrastructure shall be deleted;

23 (2) the provision specifying \$100,000 for Slip-
24 pery Rock University, Slippery Rock, PA, for Knowl-
25 edge Pointe at Cranberry Woods, as part of an ini-

1 initiative to provide life-long educational services to
2 Pittsburgh's regional industry and community resi-
3 dents shall be deemed to read as follows: "Regional
4 Learning Alliance, Marshall Township in Allegheny
5 County, PA, as part of an initiative to provide life-
6 long educational services to Pittsburgh's regional in-
7 dustry and community residents, \$200,000";

8 (3) the provision specifying \$100,000 for Slip-
9 pery Rock University, Slippery Rock, PA, for the
10 North Hill Educational Alliance shall be deleted;
11 and,

12 (4) the provision specifying \$250,000 to the
13 National Aviary Conservation Education Technology
14 Integration in Pittsburgh shall be deemed to read as
15 follows: "National Aviary Conservation Education
16 Technology Integration in Pittsburgh, for the Re-
17 mote Audio-Visual Engagement Network (RAVEN)
18 project, \$250,000".

19 SEC. 2008. Section 336 of Division I of Public Law
20 108-7 is amended by striking "Transportation Manage-
21 ment" and inserting in lieu thereof "Urbanized".

22 SEC. 2009. Amounts made available to carry out sec-
23 tions 1212(k) and 5117(b)(6) of 112 Stat. 107 et seq.
24 shall be used to carry out item number 1278 of the table
25 contained in section 1602 of such Act (112 Stat. 263).

1 SEC. 2010. The matter under the heading “Corpora-
2 tion for National and Community Services, Domestic Vol-
3 unteer Service Programs, Operating Expenses”, in Public
4 Law 108–7 is amended by inserting after “in this Act”
5 the following: “for activities authorized by section 122 of
6 part C of title I and part E of title II of the Domestic
7 Volunteer Service Act of 1973”.

8 SEC. 2011. To liquidate obligations previously in-
9 curred, \$64,000,000 is provided to the National Service
10 Trust of the Corporation for National and Community
11 Service: *Provided*, That the second proviso under the head-
12 ing “Corporation for National and Community Service”
13 in Division K of Public Law 108–7 is deemed to be
14 amended by inserting after “section 501(a)(4)” the fol-
15 lowing: “with not less than \$2,500,000 for the Office of
16 the Chief Financial Officer to enact financial reform in
17 the Corporation, notwithstanding the provisions of section
18 501(a)(4)(B) of the Act”.

19 SEC. 2012. Section 115 under the heading “Depart-
20 ment of Veterans Affairs, Administrative Provisions” in
21 Public Law 108–7 is amended by striking “2 and”.

22 TITLE III—GENERAL PROVISIONS—THIS ACT

23 SEC. 3001. No part of any appropriation contained
24 in this Act shall remain available for obligation beyond
25 the current fiscal year unless expressly so provided herein.

1 This Act may be cited as the "Emergency Wartime
2 Supplemental Appropriations Act, 2003".

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Union Calendar No. 34

108TH CONGRESS
1ST SESSION

H. R. 1559

[Report No. 108-55]

A BILL

Making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes.

APRIL 2, 2003

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