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REQUESTS FOR FY 2004 BUDGET AMENDMENTS

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

REQUESTS FOR FY 2004 BUDGET AMENDMENTS FOR THE DEPARTMENTS OF AGRICULTURE, ENERGY, HOUSING AND URBAN DEVELOPMENT, THE INTERIOR, JUSTICE, LABOR, AND TRANSPORTATION; THE OFFICE OF PERSONNEL MANAGEMENT; AND THE FARM CREDIT ADMINISTRATION

MAY 9, 2003.—Referred to the Committee on Appropriations and ordered to be printed

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THE WHITE HOUSE,
Washington, May 9, 2003.

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

DEAR MR. SPEAKER: I ask the Congress to consider the enclosed amendments to the Administration's FY 2004 budget submission for the Departments of Agriculture, Energy, Housing and Urban Development, the Interior, Justice, Labor, and Transportation; the Office of Personnel Management; and the Farm Credit Administration. I also ask the Congress to consider the enclosed proposals for the Department of the Interior and the Social Security Administration.

This transmittal also contains FY 2004 budget amendments for the Legislative Branch. Appropriations requests of the Legislative Branch are historically transmitted without change.

Further, in accordance with provisions of Public Law 108–11, the FY 2003 Emergency Wartime Supplemental Appropriations Act, I hereby request and make available $280.0 million for the Transportation Security Administration (TSA) of the Department of Homeland Security. Consistent with the Act, TSA would utilize these resources solely for expenses incurred to hire, train, and deploy initial passenger screeners.

The details of this proposal are set forth in the enclosed letter from the Director of the Office of Management and Budget. I concur with his comments and observations.

Sincerely,

GEORGE W. BUSH.

[Estimate No. 10, 108th Cong., 1st Sess.]

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, May 8, 2003.

The PRESIDENT,
The White House.

Submitted for your consideration are requests for FY 2004 budget amendments for the Departments of Agriculture, Energy, Housing and Urban Development, the Interior, Justice, Labor, and Transportation; the Office of Personnel Management; the Farm Credit Administration; and the Legislative Branch. In addition, this transmittal includes a proposal for the Department of the Interior and the Social Security Administration and makes available previously appropriated funds for the Department of Homeland Security. Overall, the discretionary budget authority proposed in your FY 2004 Budget would increase by $6.0 million, excluding the budget authority changes for the Legislative Branch.

Department of the Interior (DOI) and Other Proposals

• $6.0 million is proposed for the Central Utah Project (CUP) to mitigate project impacts. Previously, this funding was appropriated to the Department of Energy's Western Area Power Administration for payment to DOI. This amendment is necessary to correctly reflect the policy proposed in your FY 2004 Budget to transfer the authority and appropriation for payments to CUP from the Department of Energy directly to DOI.

• Several other technical language amendments to your FY 2004 Budget are included in this transmittal for the Departments of Agriculture, Housing and Urban Development, the Interior, Justice, Labor, and Transportation; as well as the Office of Personnel and the Farm Credit Administration. Each proposal is described in detail in the enclosures.

• Language is proposed for DOI that would adjust the Endangered Species program spending caps for critical habitat designations to comply with listing obligations as directed by the courts.

• Language is also proposed for the Social Security Administration that would permit implementation of the Black Lung Consolidation of Responsibility Act.

FY 2003 Contingent Release

• A request to make available $280.0 million in previously appropriated contingent funds for the Transportation Security Administration (TSA) within the Department of Homeland Security (DHS) is also submitted for your consideration. These funds were made contingent upon your submission of a budget request to the Congress, and on TSA's transmittal of an approved FY 2003 execu-

tion plan that includes this funding. TSA's plan will be sent to the Congress separately by DHS.

Legislative Branch

• This transmittal also includes FY 2004 amendments for the Legislative Branch. Appropriations requests for the Legislative Branch are historically transmitted without change. In total, these amendments would increase discretionary resources included in the FY 2004 Budget by $26.9 million.

Recommendation

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

Sincerely,

MITCHELL E. DANIELS, Jr.
Director.

Enclosures.

DEPARTMENT OF AGRICULTURE

RURAL UTILITIES SERVICE

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

FY 2004 Budget Appendix Pages: 154–155
FY 2004 Pending Request: $196,465,000
Proposed Amendment: $139,498,000
Revised Request: $335,963,000

This proposal would amend the pending appropriations language to reflect correctly the rule and subsidy rates for the authorized Broadband Program assumed in the FY 2004 Budget.

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

DEPARTMENT OF ENERGY

POWER MARKETING ADMINISTRATIONS

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

FY 2004 Budget Appendix Page: 390
FY 2004 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete the proviso beginning with the colon, up to the period.)

This proposal is necessary to correctly reflect the policy proposed in the FY 2004 Budget to transfer the authority and appropriation for payments to the Central Utah Project from the Secretary of Energy directly to the Secretary of the Interior.

This amendment would not affect FY 2004 outlays.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ADMINISTRATIVE PROVISION, SECTION 201

FY 2004 Budget Appendix Page: 520
FY 2004 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete the word "striking" and substitute "inserting" the first time it appears. Delete the words ", and inserting in lieu thereof the words, 'at least',".)

This proposal would correctly reflect the fixed minimum rent requirement of $50 for non-elderly, non-disabled recipient households assumed in the FY 2004 Budget. The minimum rent provision would apply only to households headed by an able-bodied working age individual and is intended to promote work and increase equity in the treatment of recipient households with similar needs.

This amendment would not affect FY 2004 outlays.

DEPARTMENT OF THE INTERIOR

WATER AND SCIENCE

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

FY 2004 Budget Appendix page: 553
FY 2004 Pending Request: $36,363,000
Proposed Amendment: $6,000,000
Revised Request: $42,463,000

(In the appropriations language under the above heading, delete "$36,463,000" and substitute *$42,463,000*; delete "$9,423,000" and substitute *$15,423,000,* and insert the language that follows after "Commission".)

: Provided, That section 402(b)(3)(B) of the Reclamation Projects Authorization and Adjustment Act of 1992 (P.L. 102–575), is amended to read as follows: "(B) $6,000,000 annually by the Secretary of the Interior from funds authorized to be appropriated by section 12 of the Colorado River Storage Act, as amended (43 U.S.C. § 620k)".

This amendment would correct an inadvertent omission from the FY 2004 Budget. The FY 2004 Budget policy assumed that the authority—and associated appropriations—for the Western Area Power Administration (WAPA), to mitigate for impact related to Central Utah Project (CUP) facilities, would be transferred to the Department of the Interior (DOI). While the appropriations language in the FY 2004 Budget for WAPA reflected this realignment, the appropriations language for DOI did not.

Currently, WAPA pays $6 million annually to CUP, and through them to the Utah Reclamation Mitigation and Conservation Commission, to mitigate CUP project impacts. The current WAPA payment is not reimbursable from project beneficiaries; rather, these funds are appropriated directly from the General Fund of the Treasury. Although P.L. 102–575 intended that project beneficiaries should pay for project mitigation costs, by making the costs non-reimbursable, the law resulted in general taxpayer rather than beneficiary payments. Absent a revision in the law to make these payments reimbursable by project beneficiaries, there is no compelling reason to have the mitigation costs come from WAPA.

The $6 million will be more reliably appropriated if the mitigation funds are directly included in the CUP request, instead of the WAPA request, since in WAPA's view the payments do not mitigate any of WAPA's project impacts.

This proposal would increase FY 2004 outlays by $1.8 million.

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

DETENTION TRUSTEE

FY 2004 Budget Appendix Page: 611
FY 2004 Pending Request: $785,689,000
Proposed Amendment: $16,508,000
Revised Request: $802,197,000

This technical amendment would correctly reflect the funding to be available for transfer to the Salaries and Expenses, United States Marshals Service account, to pay for the cost of boarding federal detainees in State and local jails and private institutions before and during trials, and prior to transporting to federal prisons after conviction.

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

DEPARTMENT OF LABOR

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

FY 2004 Budget Appendix Page: 659
FY 2004 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "2003" from the reference to the Treasury and General Government Appropriations Act, and substitute *2004.*)

Section 630 of the FY 2004 Budget's proposed Government-wide general provisions, authorizes the Department of Labor (DOL) to bill Federal agencies for their share of Federal Employees' Compensation Act (FECA) administrative costs. DOL's proposed FY 2004 Employment Standards Administration, Salaries and Expenses appropriations language provides authority to spend the surcharge revenue. However, this language incorrectly cites the proposed surcharge authority as section 630 of the FY 2003 Treasury and General Government Appropriations Act, rather than the FY 2004 Act. This amendment would correct this error.

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

FY 2004 Budget Appendix Page: 703
FY 2004 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, insert before the period the following:)

: Provided further, That to reimburse miscellaneous receipts for obligations previously expended, $408,535 shall be transferred to miscellaneous receipts

This amendment is in response to a January 28, 2003, notification by the Department of Transportation of a violation of the Antideficiency Act for a deficiency in the Office of the Secretary, Salaries and Expenses account of $408,535. The violation is the result of funds being diverted in 1998, 1999, 2000, and 2001 from the Treasury's Miscellaneous Receipt Account and being expended for department-wide financial system improvements. This proposal would permit the Department of Transportation to reimburse the Treasury for the diverted funds.

This proposal would not increase the FY 2004 Budget totals.

DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

FY 2004 Budget Appendix Page: 721
FY 2004 Pending Request: —
Proposed Amendment: Language
Revised Request: —

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

In addition, to reimburse miscellaneous receipts for obligations previously expended, $4,972,229, to be derived from the Highway Trust Fund and transferred to miscellaneous receipts.

This amendment is in response to a January 28, 2003, notification by the Department of Transportation of a violation of the Antideficiency Act for a deficiency in the Federal-Aid Highways account of $4,972,229. The violation is the result of funds being diverted in 1998, 1999, 2000, and 2001 from the Treasury's Miscellaneous Receipt Account and being expended for department-wide financial system improvements. This proposal would permit the Department of Transportation to reimburse the Treasury for the diverted funds.

This proposal would not increase the FY 2004 Budget totals.

OFFICE OF PERSONNEL MANAGEMENT

HUMAN CAPITAL PERFORMANCE FUND

FY 2004 Budget Appendix Page: 973
FY 2004 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(In the appropriations language under the above heading, delete "639" from the reference to the Title VI section number, and substitute *636.*)

This amendment would reflect the correct Title VI section number.

FARM CREDIT ADMINISTRATION

LIMITATION OF ADMINISTRATIVE EXPENSES

FY 2004 Budget Appendix Page: 1040
FY 2003 Pending Request: $38,400 (Limitation)
Proposed Amendment: $2,500,000
Revised Request: $40,900,000 (Limitation)

This proposal would increase the limitation that the Farm Credit Administration can obligate from its assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation to correctly include the $2.5 million of carryover funds that is available from previous years.

These offsetting collections are from a non-federal source, and this amendment would not affect FY 2004 budget authority or outlays.

LEGISLATIVE BRANCH

SENATE

EXPENSE ALLOWANCES

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $120,000
Proposed Amendment: $7,500
Revised Request: $127,500

(In the appropriations language under the above heading after "the President Pro Tempore of the Senate, $20,000;" insert *the President Pro Tempore Emeritus of the Senate, $7,500;*).

This proposal would increase the pending request by $7,500 for the Expense Allowances of the Senate. FY 2004 outlays would increase by the same amount.

LEGISLATIVE BRANCH

SENATE

SALARIES, OFFICERS AND EMPLOYEES

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $122,751,000
Proposed Amendment: $5,058,000
Revised Request: $127,809,000

This proposal would increase the pending request by $5,058,000 for the Salaries, Officers and Employees of the Senate account, as well as subaccounts Office of the Vice President, Office of the President Pro Tempore, Office of the President Pro Tempore Emeritus, Offices of the Majority and Minority Leaders, Office of the Majority and Minority Whips, Committee on Appropriations, Conference Committees, Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, Policy Committees, Office of the Secretary, Office of the Sergeant at Arms and Doorkeeper, Offices of the Secretaries for the Majority and Minority, Agency Contributions and Related Expenses.

The details of the subaccount proposals follow.

SALARIES, OFFICERS AND EMPLOYEES, OFFICE OF THE VICE PRESIDENT

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $2,024,000
Proposed Amendment: $4,000
Revised Request: $2,028,000

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

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $538,000
Proposed Amendment: $1,000
Revised Request: $539,000

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

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: —
Proposed Amendment: $156,000
Revised Request: $156,000

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

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $3,214,000
Proposed Amendment: $6,000
Revised Request: $3,220,000

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

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $2,078,000

Proposed Amendment: $246,000
Revised Request: $2,324,000

SALARIES, OFFICERS AND EMPLOYEES, COMMITTEE ON APPROPRIATIONS

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $11,699,000
Proposed Amendment: $1,100,000
Revised Request: $12,799,000

SALARIES, OFFICERS AND EMPLOYEES, CONFERENCE COMMITTEES

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $2,714,000
Proposed Amendment: $2,000
Revised Request: $2,716,000

(In the appropriations language under the above heading, delete "$1,357,000" and substitute *$1,358,000.*)

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

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $672,000
Proposed Amendment: $2,000
Revised Request: $674,000

SALARIES, OFFICERS AND EMPLOYEES, POLICY COMMITTEES

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $2,830,000
Proposed Amendment: $4,000
Revised Request: $2,834,000

(In the appropriations language under the above heading, delete "$1,415,000" and substitute *$1,417,000.*)

SALARIES, OFFICERS AND EMPLOYEES, OFFICE OF THE SECRETARY

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $17,733,000
Proposed Amendment: $566,000
Revised Request: $18,299,000

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

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $47,7000,000
Proposed Amendment: $591,000
Revised Request: $48,291,000

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

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $1,464,000
Proposed Amendment: $4,000
Revised Request: $1,468,000

SALARIES, OFFICERS AND EMPLOYEES, AGENCY CONTRIBUTIONS AND RELATED EXPENSES

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $29,758,000
Proposed Amendment: $2,376,000
Revised Request: $32,134,000

LEGISLATIVE BRANCH

SENATE

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $4,744,000
Proposed Amendment: $24,000
Revised Request: $4,768,000

This proposal would increase the pending request by $24,000 for the Office of the Legislative Counsel of the Senate. FY 2004 outlays would increase by the same amount.

LEGISLATIVE BRANCH

SENATE

OFFICE OF SENATE LEGAL COUNSEL

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $1,221,000
Proposed Amendment: $1,000
Revised Request: $1,222,000

This proposal would increase the pending request by $1,000 for the Office of Senate Legal Counsel. FY 2004 outlays would increase by the same amount.

LEGISLATIVE BRANCH

SENATE

CONTINGENT EXPENSES OF THE SENATE, INQUIRIES AND INVESTIGATIONS

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $113,465,000
Proposed Amendment: $4,997,000
Revised Request: $118,462,000

This proposal would increase the pending request by $4,997,000 for Inquiries and Investigations. FY 2004 outlays would increase by the same amount.

LEGISLATIVE BRANCH

SENATE

CONTINGENT EXPENSES OF THE SENATE, SECRETARY OF THE SENATE

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $2,077,000
Proposed Amendment: −$377,000
Revised Request: $1,700,000

This proposal would decrease the pending request by $377,000 for the Secretary of the Senate. FY 2004 outlays would decrease by the same amount.

LEGISLATIVE BRANCH

SENATE

CONTINGENT EXPENSES OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $117,133,000
Proposed Amendment: $32,836,000
Revised Request: $149,969,000

(In the appropriations language under the above heading, delete "$9,570,000" and substitute *$39,520,000* and delete "$13,574,000" and substitute *$4,255,000.*)

This proposal would increase the pending request by $32,836,000 for the Sergeant at Arms and Doorkeeper of the Senate. FY 2004 outlays would increase by the same amount.

LEGISLATIVE BRANCH

SENATE

CONTINGENT EXPENSES OF THE SENATE, MISCELLANEOUS ITEMS

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $18,513,000
Proposed Amendment: $754,500
Revised Request: $19,267,500

This proposal would increase the pending request by $754,500 for Miscellaneous Items. FY 2004 outlays would increase by the same amount.

LEGISLATIVE BRANCH

SENATE

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

FY 2004 Budget Appendix Page: 15
FY 2004 Pending Request: $310,447,000
Proposed Amendment: $11,614,000
Revised Request: $322,061,000

This proposal would increase the pending request by $11,614,000 for the Senator's Office Personnel and Office Expense Account. FY 2004 outlays would increase by the same amount.

LEGISLATIVE BRANCH

JOINT ITEMS

JOINT ECONOMIC COMMITTEE

FY 2004 Budget Appendix Page: 16
FY 2004 Pending Request: $3,794,000
Proposed Amendment: $194,000
Revised Request: $3,988,000

This proposal would increase the pending request by $194,000 for the Joint Economic Committee. FY 2004 outlays would increase by the same amount.

LEGISLATIVE BRANCH

JOINT ITEMS

JOINT COMMITTEE ON TAXATION

FY 2004 Budget Appendix Page: 16
FY 2004 Pending Request: $7,875,000
Proposed Amendment: $237,000
Revised Request: $8,112,000

The proposal would increase the pending request by $237,000 for the Joint Committee on Taxation. FY 2004 outlays would increase by the same amount.

LEGISLATIVE BRANCH

JOINT ITEMS

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

FY 2004 Budget Appendix Page: 16
FY 2004 Pending Request: $3,128,000
Proposed Amendment: $383,000
Revised Request: $3,511,000

The proposal would increase the pending request by $383,000 for the Capitol Guide Service and Special Services Office. FY 2004 outlays would increase by the same amount.

LEGISLATIVE BRANCH

ARCHITECT OF THE CAPITOL

ADMINISTRATIVE PROVISIONS

FY 2004 Budget Appendix Page: 25
FY 2004 Pending Request: —
Proposed Amendment: Language
Revised Request: —

(Insert the following appropriations under the above heading after "Gifts and Donations" and prior to "Library of Congress".)

Sec. 106. Section 5349 of title 5, United States Code, as amended, is further amended by adding the following new subsection (c):

"(c) Notwithstanding any other provision of law, the Architect of the Capitol shall have the sole and exclusive authority for the fixing of pay of employees of the Office of the Architect of the Capitol pursuant to this section.".

Sec. 107. (a) The Architect of the Capitol may, in order to recruit or retain qualified personnel for the Office of the Architect of the Capitol, establish and maintain a program under which the Architect may agree to repay (by direct payments on behalf of the employee) all or a portion of any student loan previously taken out by such employee. (b) The Architect may, by regulation, make applicable such provision of section 5379 of title 5, United States Code, as the Architect determines necessary to provide for such program. (c) The regulations shall provide the amount paid by the Office may not exceed—(1) $6,000 for any employee in any calendar year; or (2) a total of $40,000 in the case of any employee. (d) the Architect may not reimburse an employee for any repayments made by such employee prior to the Architect entering into an agreement under this section with such employee. (e) Any amount repaid by, or recovered from, an individual under this section and its implementing regulations shall be credited to the appropriation account available for salaries and expenses of the Architect at the time of repayment or recovery. (f) This section shall apply to fiscal year 2004 and each fiscal year thereafter.

Sec. 108. (a) Hereafter and notwithstanding any other provision of law, funds appropriated to the Architect of the Capitol shall be available for the acquisition of space in areas within the District of Columbia and its environs beyond the boundaries of the United States Capitol Grounds to meet space requirements of the United States, United States House of Representatives, United States Capitol Police and the Architect of the Capitol under such terms and conditions as the Committee or Commission identified in subsection (b) may authorize, and to incur any necessary expense in connection therewith. (b) The Architect of the Capitol may secure space in accordance with section (a): (1) upon provisions of written notice of intent to secure such space to the Committee on Rules and Administration of the Senate for space to be acquired that is situated North of the United States Capitol and to the House Office Building Commission for space to be acquired that is situated South of the United States Capitol; and (2) upon approval of such Committee or Commission or failure of such Committee or Commission to disapprove

the acquisition during the 21 day period following the date of provision of notice under subsection (a).

Sec. 109. Notwithstanding any other provision of law, during the fiscal year ending September 30, 2004, and thereafter, the Architect of the Capitol may use appropriated funds to develop, retain and recruit its professional staff for the Office of the Architect of the Capitol in accordance with its strategic plan by supporting professional memberships of employees and as such the Architect may pay (by direct payment on behalf of the participating employees) or reimburse all or any portion of a professional membership of an employee: Provided, That payment is approved for the acknowledgment of the importance of the membership; the nature of the professional association is directly related to the employee's job; and the Office does not have or cannot obtain an institutional membership in the professional association.

Sec. 110. At any time on or after the date of enactment of this Act, the Architect of the Capitol may incur obligations and make expenditures out of available appropriations for support and maintenance for Members, officers, and employees of Congress when, in the judgment of the Architect of the Capitol, such obligations and expenditures are necessary to respond to emergencies involving the safety of human life or the protection of property.

LEGISLATIVE BRANCH

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

FY 2004 Budget Appendix Page: 25
FY 2004 Pending Request: $407,930,000 (gross)
Proposed Amendment: −$27,544,000
Revised Request: $380,386,000 (gross)

This proposal would decrease the pending request by $27,544,000 for Salaries and Expenses. FY 2004 outlays would decrease by $22,692,262.

LEGISLATIVE BRANCH

LIBRARY OF CONGRESS

COPYRIGHT OFFICE, SALARIES AND EXPENSES

FY 2004 Budget Appendix Page: 26
FY 2004 Pending Request: $48,689,000 (gross)
Proposed Amendment: –$399,000
Revised Request: $48,290,000 (gross)

This proposal would decrease the pending request by $399,000 for Salaries and Expenses. FY 2004 outlays would decrease by $177,784.

LEGISLATIVE BRANCH

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE, SALARIES AND EXPENSES

FY 2004 Budget Appendix Page: 27
FY 2004 Pending Request: $96,615,000
Proposed Amendment: −$348,000
Revised Request: $96,267,000

This proposal would decrease the pending request by $348,000 for Salaries and Expenses. FY 2004 outlays would decrease by $316,321.

LEGISLATIVE BRANCH

LIBRARY OF CONGRESS

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED, SALARIES AND EXPENSES

FY 2004 Budget Appendix Page: 28
FY 2004 Pending Request: $52,157,000
Proposed Amendment: −$451,000
Revised Request: $51,706,000

This proposal would decrease the pending request by $451,000 for Salaries and Expenses. FY 2004 outlays would decrease by $204,068.

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

The third proviso under the heading, "United States Fish and Wildlife Service, Resource Management" in Division F of Public Law 108–7, is amended by striking "$9,077,000" and inserting "$11,077,000", and by striking "$6,000,000" and inserting "$8,000,000".

This technical adjustment in the spending cap for critical habitat designations within the Endangered Species Program would raise the listing funding cap and the critical habitat sub-cap by $2 million each, to ensure the Fish and Wildlife Service (FWS) will meet their listing obligations as directed by the courts. The Department of the Interior will be submitting a request to Congress to re-program the FY 2003 funds of the Resource Management account to help FWS meet its obligations.

SOCIAL SECURITY ADMINISTRATION

SPECIAL BENEFITS FOR DISABLED COAL MINERS

Funds made available under the heading, "Special Benefits for Disabled Coal Miners," in Division G of Public Law 108–7, shall be subject to the provisions of Public Law 107–275, notwithstanding section 514 of such Division G.

Under the Black Lung Benefits Act, the Social Security Administration (SSA) has responsibility for claims filed on or before December 31, 1973, and the Department of Labor (DOL) has responsibility for subsequent claims. Public Law 107–275, the Black Lung Consolidation of Responsibility Act, mandated the transfer of SSA's Black Lung responsibilities to DOL, thereby unifying Black Lung program responsibilities in DOL and improving program efficiency. Section 514 of the Act prohibits the transfer of funds among Federal agencies absent specific authorization in appropriations. This provision would permit the implementation of the Black Lung transfer in FY 2003, pursuant to P.L. 107–275.

CONTINGENT APPROPRIATIONS: AMOUNTS PREVIOUSLY APPROPRIATED MADE AVAILABLE BY THE PRESIDENT

Department of Homeland Security:	
Border and Transportation Security: Transportation Security Administration	$280,000,000

Title I of P.L. 108–11, the FY 2003 Emergency Wartime Supplemental Appropriations Act, provided $280 million in funding for the Transportation Security Administration (TSA), contingent upon the President submitting a budget request to the Congress, and the Administrator of TSA submitting a FY 2003 budget execution plan. TSA's plan will be sent to Congress separately by the Department of Homeland Security. Consistent with P.L. 108–11, TSA will utilize these resources solely for expenses incurred to hire, train, and deploy initial passenger screeners.

○